



1843

## Potter Collection Volume 1 (Part 4)

Follow this and additional works at: <http://helindigitalcommons.org/lawarchive>



Part of the [Law Commons](#)

---

### Recommended Citation

"Potter Collection Volume 1 (Part 4)" (1843). *Library Archive*. Paper 89.  
<http://helindigitalcommons.org/lawarchive/89>

This Article is brought to you for free and open access by the HELIN State Law Library at HELIN Digital Commons. It has been accepted for inclusion in Library Archive by an authorized administrator of HELIN Digital Commons. For more information, please contact [anne@helininc.org](mailto:anne@helininc.org).

Entered according to Act of Congress, in the year 1837,  
BY ELISHA R. POTTER,  
In the Clerk's Office of the District Court of Rhode-Island.

PRINTED BY E. A. MARSHALL.

## COLONY CURRENCY

### BEFORE THE INTRODUCTION OF PAPER.

---

#### WAMPUMPEAGE.

This was manufactured by the Indians, and was of two sorts, black made of the poquauhock or quohaug, and white made of periwinkles. Many of the shells of which it was made, came from Long Island. The Indians on the sea shore were the first to manufacture it, and the inland tribes afterwards learnt it from them. The English learnt to trade in it from the Dutch. The wampumpeage served for a long time as a medium of exchange, and its value was at several different times fixed by law. In 1643, Massachusetts made it a legal tender for any sum not exceeding 40 shillings, the white at 8, and the black at 4 a penny. In 1649, in Rhode Island, black peage was fixed at 4 a penny. In 1658, all peage was fixed at 8 a penny, but white peage was receivable for taxes at 6 a penny. In May, 1662, having fallen very low, the law forbid its being received any longer for taxes or fees.—[R. I. Hist. Col. vol. 3. 20, 46, 63.—Holmes' Am. Annals.]

#### GOLD AND SILVER.

The gold and silver in the Colonies was nearly all Spanish or Portuguese coin, as the exportation of English coin from England, was prohibited by law.

In 1652, Massachusetts erected a mint at Boston, to coin silver of sterling alloy into 12d, 6d, and 3d pieces,

in value less than the British pieces by 2d in 1s. The stamp was a double ring, Massachusetts and a tree on one side, and on the other New England 1652, figures XII. VI. or III. according to its value, with a private mark. A law was made to prevent any other coin but this and English coin from circulating in that State. The date of 1652 is on all the pieces, although the coinage was continued for several years. The exportation of it was discouraged, but in 1748 almost all of it had disappeared and been driven out of the country by the bills of credit.—[Douglas, 1. 433.]

#### BILLS OF CREDIT.

After the Revolution of 1688, England was engaged in almost perpetual war with France, and as France was until 1763 in possession of Canada, of course the Colonies were engaged with the mother countries. The first of these wars continued from 1689 to 1697, and it was for the purpose of paying off her soldiers on their return from an expedition to Canada in 1690, that Massachusetts made the first emission of paper money. It fell almost immediately to 14s for £1. But it was soon called in, and from this time forward they continued to emit such sums as were needed for the treasury, and once in a while to call in a parcel by a tax. In 1711, they fixed the exchange of these bills at £140 for £100 sterling. In 1714 they emitted a Bank, (as it was called) of £50,000. As they took the lead in the business, so they went beyond all the other colonies in the amount of their issues.

[Douglas, 1. 310 and 2. 13.]

#### EMISSIONS OF PAPER MONEY IN RHODE-ISLAND.

The first emission in Rhode Island, was £5000, in 1710. Another war with France had begun in 1702, which lasted until March 31, 1713. £2000 more was



emitted the same year. The bills were of all denominations from £5 to 2s. They were to be receivable for colony dues, and were to pass as current coin in all payments (specialties excepted) for five years. The reasons given for the emission of the latter sum were the scarcity of silver, and the debts contracted by the expedition against Annapolis Royal. In October the Assembly was obliged to pass a law to prevent counterfeiting the bills. As the bills were generally very coarsely made, it was no difficult matter to imitate them.

An important distinction is here to be noticed between bills emitted for the supply of the treasury, which emissions were generally in small sums as occasion required, and a *Bank*, which was an emission generally of a large sum, not for the exigencies of government, but to be loaned out at interest to the people on mortgage security for a term of years.

In July, 1715, a Bank of £30,000 was emitted in bills of from £5 to 1s, which with £10,000 more emitted the same year, was called the First Bank. The reasons given in the act for the emission, were the long war against the French and Indians, the expeditions to Port Royal, and Canada, &c. They were to be loaned out to the inhabitants of the towns at 5 per cent. interest for 10 years, on mortgage security of double the value. The annual payment of the interest was not provided for in the mortgages, but was secured by bonds, and thus the State was afterwards defrauded of a large part of the interest. [See laws and schedules Feb. 1737-8 and Dec. 1738]. £1000 of the interest was to be annually appropriated to take up so much of the paper in circulation.

In May, 1716, Massachusetts issued a Bank of £100,000.

In May, 1721, Rhode-Island issued a second Bank of £40,000, to be loaned out for five years in the same manner as the first Bank, and the interest to be payable in hemp

or flax. Half of the annual interest was to be divided rateably among the towns. The reason given for the emission was the scarcity of specie.

June, 1726, the £5 and 40s. bills of 1715 and 1721 having been counterfeited, were ordered to be called in and exchanged.

The Colony continued from time to time to issue bills in small sums as they were wanted to supply the treasury. And whenever a quantity of the money was received into the treasury, a Committee was appointed by the General Assembly to burn it, and their reports are to be found in the schedules.

In May, 1728, the time of payment of the first Bank was extended from 10 to 13 years, and then instead of being paid all at once, the borrower was allowed 10 years more to pay it in, one tenth annually, without any interest after the expiration of the first thirteen years. The time of the second Bank was extended in June, 1728, to 13 years, and then to be paid in, as above mentioned.

The depreciation of the bills which begun soon after the first emission, must have been increased by this extension of the time of their redemption.

In May, 1728, a third Bank of £40,000 was emitted and loaned out for 13 years. The reason given in the act was the decay of trade and commerce.

In 1731 and 1733, new Banks were emitted, the latter of £100,000.

The bills of one Colony generally passed in the neighboring Colonies the same as their own bills, and the rate of depreciation was affected to a considerable degree by the amount issued by any Colony in the neighborhood. The rate was probably about the same in Massachusetts and Rhode-Island.

It will be observed that although the colony took mortgages for the bills they loaned out, these mortgages were not the least security to the bill holders. The bills were

mere promises from the colony to pay a certain amount to the bearer, and the holders had nothing but the good faith of the government to depend upon. Thus they differed essentially from the bills of the Banks now established in Rhode-Island, for the payment of which, all the property of the corporation, and in numerous cases, the private property of all the stockholders of the corporation is pledged.

There was at first a combination made in Massachusetts to refuse to receive the Rhode-Island bills of 1733, but it was not long adhered to. Large emissions were made the same year in Massachusetts, and the rate of depreciation very much increased.

To the emission of 1731, considerable opposition was made in Rhode-Island. Gov. Jencks dissented from the passage of the act, and endeavored to establish his right to a negative, but did not succeed. Memorials against it were presented to the General Assembly, from the merchants of Newport, complaining of the ruinous effects of the paper money on property and trade. After the act passed, the memorialists took out certified copies of the memorials and other papers for the purpose of sending them to England; upon which, the Deputy Governor, Wanton, convoked the General Assembly at Newport, August 3, who took away the copies from the memorialists and forbid the colony seal to be put to any thing of the kind. Petitions and memorials from the Governor, the Newport merchants, the Council and the Assembly were afterwards forwarded to the British Government, with what effect, is not known.

The English Government had at various times endeavored, but with little success, to restrain the emission of bills by the colonies. A proclamation was issued by Queen Anne, June 18, 1704, and an act passed in 1706-7, the 6th year of her reign, fixing the value of coin in the colonies. An order of council was also made May 19,



1720, forbidding any emissions by the colonies without the royal assent.

One observation may be made here. The Legislature sometimes attempted to fix a sort of scale of the rate of depreciation at which the bills should pass. But the rate fixed by them was seldom so high as the actual rate. In Massachusetts an endeavor by some of the Council to fix the legal rate as high as it actually was at the time among the business portion of the people, subjected them to a great deal of odium.

The emissions of paper money were generally opposed by the merchants and business men, and the more intelligent part of the community. They were generally advocated by the multitude who were indebted and distressed in pecuniary circumstances as a measure of relief. It was an easy way of paying old debts. And members of the General Assembly would often be inclined to favor the emissions, not only from the desire of popularity, but the less honorable motive of pecuniary interest. Pretences were never wanting. The colony was in debt; the Fort was out of repair, or a new Gaol or Court-house was to be built. And when the specie had been driven away by the increase of paper money, the "scarcity of silver" was a fresh excuse for further issues. And each new issue only involved the people as a whole in greater difficulties.

Those who were involved in debt, borrowed of the colony on mortgage, a sufficient sum to pay those debts, as the bills were in many cases made a tender. At the end of the time fixed for paying the colony, a sufficient quantity of the same bills could be procured at a very low rate, and in many cases the government was defrauded of the interest.

The paper money was probably from about this time one of the great subjects of party warfare. Governors were elected and turned out, as the different interests happened to prevail.



Of the interest of the emission of 1731, a bounty was established of 4d. per lb. on flax, 9d. per lb. on hemp, 5s. per bbl. on whale oil, 1d. per lb. on whalebone, and 5s. per quintal on codfish, produced in Rhode-Island, or brought in, in Rhode-Island vessels. The bounty was to continue for ten years. Of the interest of the Bank of 1733, half was to be divided rateably among the towns.

In the emission of a Bank of £100,000, in August, 1738, provision was made for loaning it and for securing the payment of the *interest*, as well as the principal by mortgage. The colony had lost a considerable part of the interest of former Banks, as it was only secured by bonds.

By a report made by a Committee to the General Assembly in October, 1739, it appears there had been issued for the supply of the treasury up to that time £114,001 15s. and £3000 to lend to Nathaniel Borden. There had been called in and burnt £105,704 15s. 3d., leaving about £11,296 in circulation. But it must be recollected that this was in addition to the outstanding bills of the several Banks.

In September, 1740, on occasion of an expedition and fitting out a vessel against the Spaniards, a Bank of £20-000 was emitted. The former bills had merely expressed so many pounds, shillings, &c. on their face, but the Legislature further attempted to fix the value of the new bills by saying that they should be equivalent to a particular quantity of gold or silver. The same plan, as Hutchinson says, was attempted in Massachusetts in 1741. These bills were to be in value 9s. to an ounce of silver of sterling alloy, or £6 13s. 4d. to an ounce of coined gold.

Now began the denominations of New and Old Tenor. Occasionally however after this, bills were struck off upon the old plates. The new bills were called New Tenor and the former bills Old Tenor. The bills emitted after this, it is believed, continued to be called New Tenor un-

til about 1756-8. The bills emitted after that time were called Lawful Money Bills.

In Massachusetts the bills went by different names also, viz : Old Tenor, Middle Tenor, New Tenor First, New Tenor Second.

In December, 1740, the Assembly having received instructions from the Lords Justices in England to observe the act of the 6th Anne, amended the act they had passed in September. The bills were to be loaned, and the borrowers, when the time came, were to make payment in the same bills, or in silver at 6s. 9d. per oz. or in gold at £5 per oz. This value was expressed on the face of the bills. In May, 1741, the Assembly made 6s. 9d. of the New Tenor equal to 27s. of the Old Tenor (that is, one to four) in discharge of all contracts, judgments, or otherwise. Great difficulty was found in collecting in the different Banks as they fell due. The Assembly on several occasions were obliged to order the mortgages and bonds to be put in suit.

In February, 1743-4, a Bank of £40,000 was emitted of the same fixed value as the last, and one quarter of the annual interest was appropriated to be divided among the towns.

September, 1744, a Colony tax of £10,000.

In August, 1746, the qualification of voters was raised from £200 to £400.

In 1748, Dr. Douglas estimated that there were in circulation in the several colonies, bills (calculated in *Old Tenor*) to the following amounts :

Massachusetts,	£2,466,712.
Connecticut,	281,000.
Rhode Island,	550,000.
New Hampshire,	450,000.

He also gives the following table of the province rates of Massachusetts at different times.

1702,	£6000.	1743,	£60,000.
1720,	6000.	1745,	120,000.
1730,	8000.	1747,	168,324.
1740,	39,000.	1748,	381,672.

By report of a Committee to the General Assembly, made in February, 1749, the following was then the state of the paper money businesss, giving the outstanding bills with the values as they reported them.

Outstanding of Bank of 1728	£ 8000	equal to sterling £	727	5. 6.
1731	12,000		1090	18. 3
1733	40,000		3627	5. 6.
1738	90,000		8181	16. 4.
1740	20,000		7272	14. 6.
1743	40,000		14,545	9. 1.
	£210,000		£35,445	9. 2.
Bills issued to supply Treasury, mostly in 1746 and 1747.	110,444 2. 3½.		1040	7. 5.
Nominal amount,	£320,444 2. 3½.	equal to sterling	£36,485	16. 7.

This report was made in answer to a requisition of the English Government, and no doubt gives the most favorable view of the case. They probably estimated the bills at their legislative values, and they seem to have considered as outstanding, only those shares or payments which had not then fallen due, whereas of those payments which had become due, a great part was with difficulty collected.

In December, 1748, Massachusetts made provision for taking up the greater part of her paper then in circulation at a specified rate with the money she had lately received from England to reimburse the expenses of the war, and the remainder by taxes, and in a very few years their circulation ceased. The bills of the other Colonies were prohibited passing there. Dr. Douglas considers the change made by the act was rather too sudden, and the operation of parts of the act was indeed, several times postponed. Many people anticipated a shock in business, but none took place there. The trade of Rhode-Island



however, did receive a shock in the loss of the West India importing business which they had always done for Massachusetts. [Hutchinson, 440.]

By the Massachusetts act of 1748, a Spanish piece of eight was fixed at 6s. ; an oz. silver at 6s. 8d. The pieces of eight were then worth 4s. 6d. sterling. [Douglas.]

Rhode-Island also, at several times received grants of money from Parliament for expenses incurred in the wars, but they did not stop their paper issues.

The measures taken in Massachusetts produced, as might be expected, a great effect upon the value of the paper of Rhode-Island. About this time it fell to *one half* of its former value.

In April, 1750, the Massachusetts and Rhode-Island bills were at par with each other. September 1, 1750, the Rhode-Island bills were worth 20 per cent. less than Massachusetts bills ; that is, a piece of eight in Massachusetts, sold for 45s. Old Tenor, and in Rhode-Island for 56s. Old Tenor. [Douglas.]

April, 1750, the exchange with London, in Massachusetts was 11 1-2 to one. In September of the same year, it was 9 1-2.

The state of things in Rhode-Island must have been very unfavorable to trade. In the year 1752, Joseph Whipple, an eminent merchant of Newport and at that time Deputy Governor, failed and resigned his office, and was obliged to petition for an act of insolvency. Before this, failures were said to have been almost unknown in Newport.

Dr. Douglas observes that in 1750, the paper money party got the majority in the lower House in Rhode Island, but that the upper House were rather opposed to the system.

In March, 1750-1, the ninth Bank of £25,000 was emitted on new plates. It was for the purpose of giving



bounties on flax, *manufactured* wool, the whale and cod fisheries. The bills were made equal to silver at 6s. 9d. per oz. Troy, or gold at £5 1s. 6d. per oz. 6s. 9d. of this emission was to be equal to 13s. 6d. New Tenor, or 54s. Old Tenor. Penalties were imposed to prevent depreciation below the following rate, viz : £137 10s. of this emission, or £275 New Tenor, or £1100 Old Tenor for £100 sterling.

In June, 1751, the act was amended. The bounties were abolished ; that on manufactured wool as being displeasing to England, and the others as useless, and the interest was appropriated to take up bills emitted for the supply of the Treasury. And 64s. Old Tenor, or 16s. New Tenor, or 6s. 9d. new bills, was made equal to 1 oz. coined silver of sterling alloy. The bills were to be for ounces instead of pounds, and to be let for ten years instead of five.

In February, 1752, the value of a Spanish milled dollar was declared to be 56s. Old Tenor, as was the intent of the act of June 1751.

In October, 1754, £25,000 of an Old Tenor tax of £35,000 was appropriated to sink bills.

In February, 1756, £8000 *lawful money* bills emitted to be payable in two years. The value expressed in them was 6s. 8d. to an oz. of silver.

In August, 1756, the Assembly made provision for sinking the bills which had been issued in 1755-6 for the Crown Point expedition. One dollar specie was to be paid from the Treasury for every £4 Old Tenor. A part of what was brought in was to be exchanged for Treasury notes.

In the acts which were passed about this time for emissions, provision was generally made for taking up the bills at specified times by taxes or otherwise. And I believe that after May, 1758, the bills emitted, generally bore five per cent. interest.

In August, 1759, the Paper Money or Grand Committee's Office was settled up. The *non est* bonds (bonds which had been sued and the writs returned *non est inventus*) amounted to £41,869. The unsatisfied judgments on bonds to £8400, and there were about £35,000 of bonds lodged in the hands of individuals to collect.

In October, 1761, £4500 sterling received from England was appropriated towards redeeming the bills emitted in June, 1759, and the interest on the bills to be stopped. Treasurer ordered to reckon one dollar, = 4s. 6d. sterling, 6s. lawful money in paying them.

By report of a Committee made in August, 1762, there were then outstanding,

Old Tenor bills,	£93,687 15. 2 1-2.
Crown Point Old Tenor,	2321 17.
Lawful Money,	66,403 4. 6.

This does not include (I believe) any of the Banks.

In September, 1764, Old Tenor bills were ordered to be received in payment of a tax at the rate of 23 1-3 for one of the Lawful Money bills.

From time to time, acts were passed for calling in the bills of the different emissions, and giving to the holders of them Treasury notes, when no other means were at hand. And these notes depreciated to about the same extent that the bills had done.

In June, 1763, the Assembly passed an act, in the preamble of which, they refer to the Act of 6th Anne, declaring silver and gold only to be lawful money, and that all contracts should be discharged in them, unless otherwise specially agreed. Value of certain coins in lawful money to be, viz .

English Crown, weighing 19 pwt.	8 1-2 gr.	£0 6. 8.
English Shilling,	3 pwt. 20 9-10	0 1. 4.
Spanish Milled dollar,		0 6. 0.
One ounce of coined gold,		5 1. 4.

It further provided that debts contracted to be paid in Old Tenor, should be discharged by paying so much of the bills as in actual value is equal to the nominal debt, (interest, if any to be, at six per cent.) or else in so much lawful money as the bills are worth. The following table was made for the courts, as the Old Tenor value of a Spanish milled dollar.

1751,	£2 16. 0.	1757,	£5 15. 0.
1752,	3 0. 0.	1758,	6 0. 0.
1753,	3 10. 0.	1759,	6 0. 0.
1754,	3 15. 0.	1760,	6 0. 0.
1755,	4 5. 0.	1761,	6 10. 0.
1756,	5 5. 0.	1762,	7 0. 0.
		1763,	7 0. 0.

The passage of this act was protested against. [See Schedules.]

In October, 1764, a committee reported that there were then outstanding about £40,000 bills issued to carry on the war, and that these with the remnant of the old tenor bills would come to an end in 1767. This statement was prepared for the purpose of being sent to England.

In November, 1764, a sum of money received from England was appropriated to pay the bonds which had been given to redeem the bills of credit. The rate was to be \$1=4s. 6d. sterling=6s. lawful money.

In February, 1769, 6s. lawful money ordered to be reckoned equal to £8 old tenor in payment of a tax.

By an act of September, 1770, the passage of old tenor bills after January 1, 1771, was prohibited. They were to be brought into the treasury and exchanged for treasury notes at the rate of 6s. for £8 old tenor.

October 3, 1770, King's County Jail was broken open in the night by a number of people in disguise, and several prisoners, one of whom was sentenced to be hung, let out



and made their escape on horses which their friends had ready for them. Most of them were in confinement for counterfeiting, which although the punishment had always been death, was now become a frequent offence.

In May, 1775, the Colony having voted to raise troops, issued £20,000 in bills bearing 2 1-2 per cent interest, and made it a tender for all debts, 6s. 9d. to the silver ounce. In August the Continental bills, of which there now began to be large emissions by Congress, were made a tender at the rate of 6s. to a dollar. Emissions were now made often by the Colony. The persons who should endeavor to lower the value of the bills were declared public enemies, and all means were used and penalties imposed during the revolution for the purpose of keeping up their value. [Schedules, Aug. 1775. July 1776. Feb. 1780.]

In December, 1776, a committee of the New-England States recommended to them to emit no more bills of credit, unless absolutely necessary, but to tax or borrow, and to emit (if any) bills bearing four per cent. interest, and payable in three years. The General Assembly approved of this plan, and ordered £40,000 to be hired, and notes given payable in two years, with six per cent. interest. The notes were to be given for dollars, and the Assembly reserved a control over the interest. In February, 1777, they ordered £50,000 lawful money to be hired, and notes given (in dollars) payable in five years, with four per cent. interest. They also made these notes a legal tender.

This year they began to lay taxes again, and it would seem from the schedule of December, 1777, that Providence consented to a very high valuation, in order to induce the Assembly to lay the tax.

December, 1777, the Assembly ordered all bills over one dollar, which were not on interest, to be called in and burnt.

The money issued by the Continental Congress had now probably become the principal circulation, and had



depreciated greatly. In June, 1780, the Assembly raised all the fees, fines and forfeitures, established in 1774, forty for one. In November, 1780, the Assembly fixed a scale of depreciation for the Continental bills, from January 1, 1777, to April, 1780. All contracts were to be discharged in specie, (except in some specified cases,) and the tender acts repealed. May, 2d session, 1781, the scale was continued down to that time, and one dollar of the new Continental emission was made equal to twelve dollars of the old. The Judges were appointed to fix the rate of depreciation from time to time, and to publish it.

Acts were passed May, 2d session, 1778, June and November, 1782, for consolidating the paper money, ordering all bills and notes to be brought in to the treasury, interest calculated at six per cent from June 1, 1778, when they were struck out of circulation, and new notes given bearing interest.

86 May, 1776. After a hard contest, the paper money party prevailed in the election and John Collins was elected Governor. A bank of £100,000 was issued to be loaned out in the usual manner at four per cent for seven years, and then one-seventh to be paid annually. These bills were made a legal tender except for debts due to charitable corporations. Acts were passed in June and August to keep up the credit of the bills and repealed in December. In September, 1789, the bills having fallen very low, the law making them a tender, was repealed. Of this emission of 1786 the following sums were afterwards burnt;

In February, 1793,	£45846 7s 0d	
February, 1794,	6624 9s 3d	
June, 1794,	3284 4s 6d	} which had never been loaned.
January, 1795,	9440 3s 2 1-2d	
January, 1796,	7320 9s 5 1-2d	
June, 1797,	5062 6s 0 1-2d	
June, 1798, £412 15 11 L. M.* =	6191 18s 9d	
Sept'r. 1798,	990 0s 6d	
June, 1799, £211 14 2 L. M. =	3175 13s 8 1-4d	
May, 1800,	1583 14s 9d	

\* Lawful Money.

In May,	1800,	£72 16 2 1-4 L. M. =	£1092 2s 10 1-2d
May,	1801,		679 12s 6d
May,	1801,	£113 6 5 1-2 L. M. =	1699 17s 3d
June,	1802,		2280 15s 6d
May,	1803,		1391 11s 0d

In June, 1788, the remainder of the emission of 1780, was ordered to be called in and exchanged for bills of May, 1786.

In June, 1791, the Assembly fixed the following scale of depreciation for the bills of May, 1786, to be used in ascertaining the amount due on certain state securities.

Six shillings in specie to be equal

1786,	July 1st	to	9 s. of the bills,
"	August 1st	"	10 s. "
"	September 1st	"	12 s. "
"	October 1st	"	18 s. "
"	November 1st	"	20 s. "
"	December 1st	"	21 s. "
1787,	January 1st	"	24 s. "
"	February 1st	"	27 s. "
"	March 1st	"	30 s. "
"	April 1st	"	34 s. "
1788,	April 1st	"	38 s. "
"	July 1st	"	45 s. "
1789,	January 1st	"	60 s. "
"	February 1st	"	66 s. "
"	April 1st	"	72 s. "
"	May 1st	"	78 s. "
"	July 1st	"	90 s. "

In October, 1789, the rate of the bills of 1786, was fixed at fifteen dollars for one of silver, in payment of all judgments for silver. At the same session they provided that debts might be paid in real estate or produce, and that the bills of '86 should be a tender at par for all contracts made since November '86, unless made specially for gold or silver. In September, 1790, an act was passed to allow those who had hired the money to pay it in before it

become due. The bills of this emission have been made receivable at the rate of fifteen for one in payment of several taxes. [Schedule, June 1817. June 1818. June 1819, &c.]

The depreciation of the paper of 1786 must have been hastened by the decision of the Supreme Court in the celebrated case of *Trevet vs. Weeden*, at the September, Newport term, 1786, that the act of emission was unconstitutional in several important particulars. For this decision the Judges were summoned before the Assembly and heard there by counsel, and after various debates and proceedings, they were discharged October, second session, 1786.

The preceding minutes have been compiled principally from the State records and Dr. Douglas' Historical Summary of New-England. Several quotations are also made from a well known work of Mr. Gouge.

A part of the present State debt can be traced back to the Treasury notes which were given at many different times to take up portions of the circulating paper. There is probably a considerable amount of paper money now in the offices of the Clerks of the Courts, where it has been lodged at different times for tenders.

To the table of emissions is added a column to show the amount of paper burnt by the General Assembly from time to time, in which however complete accuracy is almost unattainable, as the reports of the committees who burnt the money, do not always distinguish between the nominal value of the bills and their value in old tenor. The figures are intended to express the nominal value, or that which is expressed upon the face of the bills.



## TABLE OF EMISSIONS.

Date.	Emitted.	Burnt.	
1689, May,			War with France until 1697.
1690,			Massachusetts first emitted bills of credit.
1698,			Samuel Cranston Governor.
1702,			War with France until March 1713.
1710, May, £5,000			On account of French and Indian War.
“ Oct. 1,000			
“ Nov. 1,000			To pay debts for Annapolis Royal Expedition.
1711, June, 6,000			
“ Nov. 300			
1714, June,		1102	8s 6d Massachusetts issued a bank of £50,000.
1715 July, 30,000			First Bank, to be let out at 5 p. c. for
“ Oct. 10,000		300 0 0	> 10 years. May, 1728, time of payment
			extended.
1716,			Massachusetts issued a Bank of £100,000.
1717, June,		1722 14 9	
1718, June,		540 7 6	1718. War began with Spain.
“ Sept.		874 13 0	
1719, June,		1151 11 1 1-2	
1720, June,		868 10 11 1-2	
1721, May, 40000			Bank issued on account of scarcity of specie. Let for 5 years at 5 p. c.
			May, 1728, time extended.
“ June,		255 0 4	1721. Massachusetts issued a Bank of £50,000.
1722, June,		451 19 10 1-2	
“ Aug.		235 5 1 1-2	
1723, Feb. 2000			
“ June,		642 12 1	
1724, June,		907 16 6	
1725, June,		869 19 7 1-2	
1726, June, 46634 5 0		594 18 1 1-2	
1727, June,		14991 0 1 1-2	Joseph Jencks Governor. 1727
			Massachusetts issued a Bank of £60,000.
1728, May, 40000			Bank. Decay of trade & commerce.
“ “ 3000			
“ June, 2000		10573 10 10	
“ “ 3000			
1729, June,		4536 16 6	
1730, June,		3608 5 7 1-2	
“ Oct. 1000			
1731, June, 60000			Bank.
“ “		4198 17 6	
1732, June,		2381 6 1 1-2	William Wanton Governor.
1733, June,		3946 2 6	
“ July, 100000			Bank. Mass. made large emissions this year.
“ “ 4000			
1734, Oct. 2067 10			John Wanton Governor.
1735, Aug.		1015 13 1	
1736, June,		3515 9 0 1-2	
1737, June, 30000		4042 2 5	An emission to exchange torn bills.
1738, May, 10000			
“ June,		26269 15 10	
“ Aug. 100000			Bank.
1739, or before,		2067 10 0	See Report of Committee.
“ Aug.		14077 9 2	About £11296 in circulation of bills emitted to supply treasury. [See Report.]



Date.	Emitted.	Burnt.	
1740, Sept.	20000		Bank. New tenor. The new bills to be equal one to four of the old. Expedition against the Spaniards.
" "	10000		
1741, May,	8000		Richard Ward Governor.
" Oct.	8000		
1742,			War again.
1741-2, Feb.			£24000 ordered to be emitted to exchange bills of 1740 called in.
1743-4, Feb.	40000 new tenor.		William Greene Governor. Bank. Let for 10 years at 4 p. c.
1744, March,	10000		
1745, May,	15000 or		1745-8. Mass. issued large sums.
	3750 new tenor.		
" Sept.	20000 or		
	5000 new tenor.		
1746, June,	45000 or		Expedition to Canada.
	11250 new tenor.		
1746-7, Feb.	60000 or		1747. Gideon Wanton Governor.
	15000 new tenor.		
1747-8, Feb.	30000		1748. Peace.
1748,		88725 0 0	William Greene Governor. Douglas estimates the bills of Mass. £2466 712. Conn. 231,000. R. I. 550,000. N. H. 450,000.
1749,			By Committee's Report £135 335 13 1 1-2 were in circulation of bills emitted for supply of the Treasury. Of this amount £24391 10s 10d was actually in the Treasury.
1750, March,	25000		Ninth Bank. In Report of 1764, the bills of 1750 are said to be then equal £20 to £6 sterling.
1751, June,		24230 2 0	
1753, Feb. and Oct.		45895 old tenor.	
1754, Feb.		1647	
1755, March,	60000 old tenor		Crownpoint Money.
" June,	40000 " "		
" Aug.	20000 " "		
" Sept.	60000 " "		
" Dec.	60000 " "		
1756, Feb.	8000 l. m*	13792 0 0	Stephen Hopkins Governor. The Crown-point Bills were all sunk within two years from their date.
" Aug. & S.	6000 l. m.	13208 0 0	1756. War declared with France.—Hostilities had begun in the Colonies the year before.
" Nov.		18430 3 0	
1757, March,		177006 11 6	
" June,		11400 7 0	William Greene Governor.
1758, Feb.		11693 3 11	
" May,	10000		Stephen Hopkins Governor. These bills bore 5 p. c. interest.
1758, Sept.		6695 11 2	bearing 5 p. c. interest,
" Oct.	10909 1 9		
1759, Feb.	12000		
" "	4000		
" June,	4000	7022 14 10.	1759. Battle on Plains of Abraham.
1760, Feb.	16000		
" March,	11000		
1761, Feb.		1072 9 9.	1761. War with Spain.
" May,		48 2 6	
* Lawful Money.			

Date.	Emitted.	Burnt.	
1762, Feb.	5000 3 6		1762. Havana taken, August, 1762. Committee estimated there were circulating, old tenor, £93687 15s 2 1-2d.
" March,	2000		Crownpoint, o. t. 2321 17 0
" May,	2000	10503 0 9	L. M. bills, 66403 4 6
" Aug.		87059	Samuel Ward Governor.
" Sept.	4000		
1763, Aug.		48787 0 0	1763. Stephen Hopkins Governor. Feb. 1763. Peace with France and Spain. Canada acquired.
" Oct.		426 0 0	
1765, Feb.		80063 0 0	May. Samuel Ward Governor.
1766, Feb.	660	4661 16 4	
1767, Feb.	2000. about	75566 0 0	May. Stephen Hopkins Governor.
1768, Feb.		4070 0 0	May. Josias Lyndon Governor.
1769, Feb.		57174	May. Joseph Wanton Governor.
" Oct.	about	11000	
1770, May,		40317 12 1	
" Oct.		810 11 5	
1772, Oct.		44694	
1773, May.		9560	
1775, May,	20000		to bear 2 1-2 p. c. interest. Nicholas Cooke Governor.
" June,	20000		ditto.
" Aug.		8902 9 6	old tenor.
" Oct.	20000	9352	
1776, Jan.	40000		without interest.
" March,	20000		
" July,	10000		
" Sept.	\$66670		
" Dec.			£40000 hired on 6 p. c. notes.
1777, Feb.			£50000 hired on 4 p. c. notes. About £7000 of these notes burnt, March, 1781, besides what is set against that month.
" May,	\$15000=£4500		emitted in treasury notes, payable in 1785.
1778, Oct.		£73193 15 5	of bills of 1775 and 1776- May. Wm. Greene Governor.
1779, March,			Council of war issued a quantity, of which £10920 was burnt in March, 1781.
" June,	£40000		issued in treasury notes of £10 each, of which £39870 was burnt in March, 1781.
1780, June,	£26000		to bear 5 p. c. interest, payable in 1781. Made a tender—confiscated estates pledged for their redemption.
not over			on the credit of the U. S. at 5 p. c. interest.
" July,	£39000		£87158 old continental bills burnt=£61470 5s—this had been exchanged for new bills.
1781, March,	about £38000		
1783, Oct.	about £6000		
1785, Oct.		11479 11 6	
1786, May,	£100000		Bank. John Collins Governor.
1789,			Arthur Fenner Governor.

REPORT OF COMMITTEE COPIED FROM SCHEDULE OF  
SESSION OF ASSEMBLY, OCT. 31, 1739.

*The Colony of Rhode Island, &c.* Dr.

1710, May,	An act passed for emitting of	£5000	
" Oct.	" " " " " "	1000	
" Nov.	" " " " " "	1000	
1711, June,	" " " " " "	6000	£13000
" Nov.	" " " " " "		300
1723, Feb.	An act passed to emit and put into the Gen'l Treasurer's hands for exchanging bills,		2000
1726, June,	An act passed for emitting to exchange £5 and 40s bills that were called in,		46634 5
1728, June,	An act passed for emitting and lending to the Fort to be repaid again out of the interest of the loan money,		2000
" "	An act passed to emit and put into the General Treasurer's hands for exchanging torn bills,		3090
1730, Oct.	An act passed to emit and put into the General Treasurer's hands for exchanging torn bills,		1000
1733, July,	An act passed for emitting to provide guns for the Fort,		4000
1734, Oct.	An act passed for emitting and delivering to the General Treasurer and Town Treasurers, in proportion, small bills to exchange for larger money to burn,	£2000	
	At the same time made more by the Grand Committee,	67 10	2067 10
1737, June,	An act passed for emitting to exchange torn bills,		30000
1738, May,	An act passed to emit for the same purpose,		10000
			<hr/> £114001 15s
Anno 1728,	Impressed and lent to William Borden, without interest, the sum of £3000, for ten years, and afterwards continued by Act of Assembly for five years longer after the expiration of the first term.		



*The Colony of Rhode Island,* *Cr.*

1715, Oct.	By the £800 debited on the other side being lent to Capt, James Green for a term without interest and by that General Assembly ordered to be burnt,	£ 300
1732,	By bills of the first impression, burnt by order of the several General Assemblies from the year 1714 to the year 1732, amounting to by list thereof, No. 1,	11499 1 10
	By £5 and 40s bills exchanged of them that were called in by the General Assembly in June, 1726, and burnt by order of the several General Assemblies from the year 1727 to the year 1732, amounting to by list thereof, No. 2,	30383
	By so much the Grand Committee delivered to and burnt by the General Assembly, being old money they received of the several Treasurers for the small bills emitted in Oct., 1734,	2067 10
	By bills of all impressions burnt by order of the several General Assemblies, from the year 1717 to the year 1739, amounting to by list thereof, No. 3,	61455 3 5
	Lodged in the General Treasurer's hands, belonging to the Colony, 1 bond from Jonathan Sprague for defraying the charges about the gore. Penalty £3000.	£105704 15s 3d
	4 bonds from Edward Thurston, at £15 each, for interest money, £60. 1 bond from Samuel Bissel, for so much lent him, £200. 1 bond from Edward Greenman, payable in 1724, for £20. 3 bonds from Edward and Silas Greenman, for making good counterfeit bills.	

THE AMOUNT OF BILLS BURNT THAT WERE EMITTED  
ON THE CREDIT OF THE COLONY.

Times when burnt.	Of the old impression.		
In June, 1714,	£1102	8s	6d
June, 1717,	1718	0	9
June, 1718,	540	7	6
Sept. “	874	13	0
June, 1719,	1019	2	4 1-2
June, 1720,	716	3	0
June, 1721,	149	13	6
June, 1722,	277	6	7 1-2
Aug. “	191	8	1 1-2
June, 1723,	422	14	6
June, 1724,	485	7	6
June, 1725,	322	11	9
June, 1726,	155	19	6
June, 1727,	1385	13	7 1-2
June, 1728,	995	1	10
June, 1729,	508	17	9
June, 1730,	284	6	0
June, 1731,	143	0	9
June, 1732,	233	5	3

---

No. 1. £11499 1s 10d

THE AMOUNT OF BILLS BURNT THAT WERE EMITTED  
ON THE CREDIT OF THE COLONY.

Times when burnt.	Of the five pounds and forty shilling bills made for exchange.		
In June, 1727,	£12550	0s	0d
June, 1728,	8024	15	0
June, 1729,	3077	5	0
June, 1730,	2314	5	0
June, 1731,	2822	5	0
June, 1732,	1594	10	0

---

No. 2. £30383 0s 0d

THE AMOUNT OF BILLS BURNT THAT WERE EMITTED  
ON THE CREDIT OF THE COLONY.

Times when burnt.	Of all impressions together.			
In June, 1717,	£	4	14s	0d
June, 1719,	132	8	9	
June, 1720,	142	7	11	1-2
June, 1721,	105	6	10	
June, 1722,	174	13	3	
Aug. "	43	17	0	
June, 1723,	219	17	7	
June, 1724,	422	9	0	
June, 1725,	547	6	10	1-2
June, 1726,	438	18	7	1-2
June, 1727,	1055	6	6	
June, 1728,	1553	14	0	
June, 1729,	950	13	9	
June, 1730,	1009	14	7	1-2
June, 1731,	1233	11	9	
June, 1732,	553	10	10	1-2
June, 1733,	3946	2	6	
Aug. 1735,	1015	13	1	
June, 1736,	3515	9		1-2
June, 1737,	4042	2	5	
June, 1738,	26269	15	10	
Aug. 1739,	14077	9	2	

No. 3. £61455    3s   5d

Voted and Resolved, that the aforewritten account of the state of the Colony be accepted, and that the Secretary enter the same upon Record.



## REPORT OF COMMITTEE, FEB. SESSION, 1749.

Whereas this Assembly, at their session in South Kingstown, on the last Wednesday of October last, appointed a Committee to prepare an account (agreeable to the letter of the Duke of Bedford, one of His Majesty's principal Secretaries of State, to the Gov. & Co. of this Colony,) of the tenor and amount of all the bills of credit which have been created and issued by this government, and are now outstanding, &c.—and the major part of the Committee having assumed that province and perpetrated the business, made report to this Assembly as followeth :

“ The Colony of Rhode Island, in the year 1728, emitted £40,000 in bills of public credit, equal then to £12,800 sterling, to be let on loan on land security of double the value, and at 5 per cent per annum interest for thirteen years. The interest was appropriated to the repairing and furnishing Fort George, the principal to be sunk by ten equal annual payments, two of which are yet out standing, equal to £727 5s 6d sterling, and the sinking thereof will be completed in the year 1751.

And in the year 1731, the Colony emitted £60,000 in bills of public credit, equal then to £16841 17s 4d sterling, to be let out on loan on security of double the value at 5 per cent per annum interest for ten years. The interest was appropriated to encourage raising hemp flax and the catching of fish and making oil by proper bounties given by the emitting act. The principal to be sunk by ten equal payments, two of which are yet outstanding, equal to £1090 18s 3d sterling, and the sinking of it will be finished in the year 1751.

And in the year 1733, the Colony emitted £100,000 in bills of public credit, equal to £25396 16s sterling, to be let out on loan on land security of double the value and at 5 per cent per annum interest for ten years. The interest was to be appropriated to purchasing of cannon for Fort

George and erecting a pier at Block Island. The principal to be sunk by ten equal annual payments, four of which are yet outstanding, equal to £3627 5s 6d sterling, and the sinking of this sum will be completed in the year 1753.

Again in the year 1738, the Colony emitted £100,000 in bills of public credit, equal then to £19753 1s 4d sterling, to be let on loan on land security of double the value at 5 per cent per annum interest for ten years. The interest was appropriated to the building of a State-House for the Colony and a Light-House for the benefit of navigation. The principal to be sunk by ten equal annual payments, nine of which are yet outstanding, equal now to £8181 16s 4d sterling, and the sinking of this sum will be completed in the year 1758.

Again in the year 1740, the Colony emitted £20,000 in bills of a new tenor, equal to £80,000 of their former bills and to £15802 8s sterling, to be let out on loan on land security of double the value on interest for ten years at 4 per cent per annum. The interest was appropriated to building a Guard Sloop for the Colony and paying the Colony's expenses in the Expedition to the West Indies. The principal to be sunk by ten equal annual payments, the whole of which is now outstanding, and is now equal to £7272 14s 6d sterling. The sinking of this sum will be completed in the year 1760.

And lastly in the year 1743, the Colony emitted £40,000 of the new tenor bills, equal to £160,000 in bills of the old tenor and to £28444 5s 4d sterling, to be let out on loan on land security of double the value, to pay interest ten years at 4 per cent per annum, which was appropriated to put the Colony in a posture of defence during the war. The principal to be paid in ten equal annual payments, and the whole of this sum is now outstanding and is now equal to £14545 9s 1d sterling, and the sinking of it will be completed in the year 1763.

At divers times from the year 1710 to the year 1747, the Colony has emitted bills of public credit for the supply of the Treasury to the amount of £312,300, old tenor, and there hath been called in and burnt at several times from the year 1728 to 1748, £176964 6s 10 1-2d ; and by the last settlement of the General Treasurer's accounts it appears that there was then in the Public Treasury £24891 10s 10d. From all which it appears that there is now outstanding of the bills issued to supply the treasury, £110444 2s 3 1-2d, the whole of which outstanding sum was issued in the years 1746 and 1747, and is equal to £1040 7s 5d sterling.

And the Parliament having granted to this Colony for their services in the Cape Breton Expedition £6332 12s 10d sterling, and the Colony having paid by order of the Crown the wages of the officers and soldiers raised for the Canada Expedition £3000 sterling, the said two sums being £9332 12s 10d sterling, are a fund for sinking so much of the Colony's outstanding bills, and the remainder being £708 14s 7d sterling, is to be called in and sunk by a tax on the inhabitants of this colony.

The reason of the great depreciation observable in the bills issued by the Colony, is because the inhabitants of New England constantly consume a much greater quantity of British manufactures than their exports are able to pay for, which makes such a continual demand for gold, silver, and bills of exchange, to make remittances with, that the merchants to procure them are always bidding one upon another, and thereby daily sink the value of paper bills with which they purchase them. And it is plain that when the balance of trade is against any country, that such part of their medium of exchange as hath a universal currency will leave them, and such part of their medium as is confined to that country will sink in its value in proportion as the balance against them is to their trade. For what hath been



the case with R. I. bills hath also been the common fate of all the paper bills issued by the other Colonies in New England, they having been all emitted at near equal value, and have always passed at par one with another, and consequently have equally sunk in their value : and this will always be the case with infant countries that do not raise so much as they consume, either to have no money, or if they have it, it must be worse than that of their richer neighbors, to compel it to stay with them."

Which Report being duly considered, this Assembly do vote and resolve, and it is hereby voted and resolved, That his Honor, the Governor, transmit the substance thereof under his hand to Mr. Agent Partridge, to be by him delivered to his Grace, the Duke of Bedford, one of his Majesty's principal Secretaries of State, in answer to his Grace's letter to this Colony about the bills of credit emitted here, &c. and also that a duplicate thereof be sent to the said Agent for his own use.

And at the same time the Committee aforesaid presented with their report what follows.

THE COLONY FOR ALL MONEY EMITTED FOR SUPPLY  
OF THE TREASURY, DR.

1710, May,	to cash emitted,	£ 5000
1710, Oct.	" "	1000
1710, Nov.	" "	1000
1711, June,	" "	6000
1711, Nov.	" "	300
1726, June,	" "	46000
1728, June,	" "	2000
1730, Feb.	" "	1000
1733, July,	" "	4000
1737, June,	" "	30000
1738, May,	" "	10000
1740, Sept.	" "	10000
1741, May,	" "	8000

1741, Oct.	to cash emitted,	£ 8000
1744, March,	“ “	10000
1745, May,	“ “	15000
1745, Sept.	“ “	20000
1746, June,	“ “	45000
1746, Feb.	“ “	60000
1747, Feb.	“ “	30000
		<hr/>
		£312300

FOR WHAT HAS BEEN BURNT, CR.

1727, June,	By cash burnt at several times before this date, as appears by a settlement of the Gen'l Treasurer's account,	£12550	0s	0d
1728,	By cash burnt this year,	9019	16	10
1729,	By cash burnt this year,	3604	7	9
1730,	By cash burnt this year,	6430	10	7 1-2
1731,	By cash burnt this year,	1376	13	6
1732,	By cash burnt this year,	2381	6	1 1-2
1733,	By cash burnt this year,	3946	2	6
1734,	By cash burnt this year,	1015	13	1
1736,	By cash burnt this year,	3525	9	0 1-2
1737,	By cash burnt this year,	4042	2	5
1738,	By cash burnt this year,	26269	15	10
1739,	By cash burnt this year,	14077	9	2
1748,	By cash burnt this year,	88725	0	0
		<hr/>		
		£176964	6 10 1-2	
Balance due from the Colony,		135335	13	1 1-2
		<hr/>		
		£312300	00	0

We, the subscribers, being appointed a Committee to enquire into the state of the bills of public credit that have at any time been emitted by the Colony of Rhode Island, do report that the Colony hath issued for the supply of the

General Treasury at the times noted on the debt side of the above account, £312,300, and that there hath been burnt at the times noted on the credit side of this account £176964 6s 10 1-2d, and that there is now circulating of bills of credit emitted by the Colony for a supply of the Treasury £135335 13s 1 1-2d.

PETER BOURS,  
STEPHEN HOPKINS,  
DANIEL JENCKES,

Newport, Feb. 27, 1749.

And this Assembly having taken the said report into consideration, do vote and resolve that the same be and it is hereby accepted.

#### LIST OF EMISSIONS IN MASSACHUSETTS,

To show the bills which were in circulation in 1748, calculated in old tenor. [Douglas, 1. 526.]

		Provision was made in the
1745, Feb.	£200000	acts of emission for cancelling
“ April,	200000	a certain sum every year by
“ July,	280000	rates, thus of the table here
“ Aug.	280000	given £409800 would be
“ Dec.	200000	called in in 1748, £540000
1746, March,	80000	in 1749, £140000 in 1750,
“ June,	328000	£135200 in each of the years
“ July,	100000	1751 and 1752, £140000 in
“ Aug.	80000	each of the years 1753-4-5-
“ Sept.	40000	6, and so on.
“ Nov.	80800	
1747, Feb.	32800	
“ April,	80000	
“ June,	32000	
“ Oct.	136000	
1748, Feb.	100000	
“ June,	400000	



Table of comparative depreciation of Colony Currency  
Bills of Credit, 1748. [From Douglas, 1. 494.]

For £100 sterling in		
exchange with London.		
New-England,		£1100
New-York,		190
East Jersies,		190
West Jersies,		180
Pennsylvania,		180
Maryland,		200
Virginia,	120 to 125	
N. Carolina,		1000
S. Carolina,		750
Barbadoes,		130
Antegoa,	170 to 180	
St. Christophers,		160
Jamaica,		140

REPORT OF COMMITTEE, AUGUST SESSION, 1762.

Whereas his Honor, the Deputy Governor, Edward Scott and George Hazard, Esq's., and Messrs. Walter Cranston and William Richardson, who were appointed a Committee to examine how much of all sorts of money hath been emitted upon the faith and credit of the Government, presented unto this Assembly the following state of that account, and report, viz :

*The Colony of Rhode Island, &c. Dr.*

FOR BILLS OF CREDIT EMITTED TO SUPPLY THE GEN-  
ERAL TREASURY.

	To bills of credit outstanding the 27th	
1749-50	of February, 1749, as by report then (old tenor.)	
Feb. 27	made to the General Assembly,	£135335 13 1 1-2

CR.

1751 June.	By bills of credit received for bills of	
	exchange and burnt as per report	
	made to the General Assembly, June	
18, 1751,		24290 2 0

*The Colony of Rhode Island,* *Cr.*

1651, June, By do. part of the rate for £35000 old tenor, ordered in October, 1754 and burnt as per report made to the General Assembly, dated Feb. 13, 1756,	13792	0	0
By do. part of the rate for £70000 old tenor, ordered in Oct. 1755, burnt as per report made in February, 1758,	3575	15	11
Bills of credit yet outstanding, due from the Colony in old tenor bills,	93687	15	2 1-2
	<hr/> £135335 13 1 1-2		

	DR.	(old tenor.)
'55 March To Crown Point bills,		60000 0 0
2mon June " "		40000 0 0
Aug. 11 " "		20000 0 0
Sept. 8 " "		60000 0 0
Dec. 22 " "		60000 0 0
		<hr/> £240000 0 0

	CR.
1756 Aug. By Crown Point bills burnt as per report made to the General Assembly,	18208 0 0
November By ditto,	18430 3 0
'57 March By ditto,	177006 11 6
June 2 By ditto per receipt given the late Treasurer,	11400 7 0
'58 Feb. By ditto per report made to the Assembly,	7717 8 0
Sept. 15 By ditto per receipt given to the late Treasurer,	2930 11 6
'59 June By ditto per report made to the Assembly,	1191 15 6
'61 Feb. By ditto as per Treasurer' accounts then audited,	760 9 6
May 29 By ditto per receipt given to William Richardson,	42 17 0
	<hr/> £237678 3 0

*The Colony of Rhode Island,**Dr.*

1756 last	(lawful money.)	
mond'y feb To lawful money bills,	8000	0 0
aug. & sep. To ditto (the bills dated in August, 1756,	6000	0 0
	<hr/>	
	£140000	0 0

*Cr.*

7158	(lawful money)	
Feb. 14	By lawful money burnt as per report made to the Assembly	4000 0 0
Sept. 15	By ditto emitted in February, 1756, as per receipt given to the late Treas- urer,	3764 19 8
'59 June	By ditto in full for said money as per report made to the Assembly	235 0 4
	By ditto, August, lawful money, per ditto,	5605 19 0
'61 Feb. 9	By ditto per receipt given to the late Treasurer,	312 0 3
May 29	By ditto per receipt given to William Richardson,	5 5 6
	<hr/>	
	£13823	4 9

Delivered to the present Treasurer, £76 15s, 4 1-2d.  
lawful money, in gold.

1753

*Dr.*

May 8	To lawful money bills carrying an in- terest of 5 per cent per annum,	10000 0 0
last wedn'. in Oct.	To ditto (the bills dated Dec. 23, 1758)	10909 1 9
'59 feb. 26	To ditto (the bills dated March 15, 1759,)	12000 0 0
	To ditto (the bills dated April 4, '59)	4000 0 0
June	To ditto,	4000 0 0
'60 feb. 25	To ditto (the bills dated March 10, 1760)	16000 0 0
May	To ditto,	11000 0 0
'62 feb.	To ditto (the bills dated March 20, 1762)	5000 3 6



<i>The Colony of Rhode Island,</i>		<i>Dr.</i>	
March	To ditto (the bills dated April 10 '62)	2000	0 0
May 8	To ditto,	2000	0 0
		<hr/>	
		£76909	5 0
		<hr/>	
		C.R. (lawful money.)	
'62 May	By bills dated June 23, 1759, burnt as per report made to the Assembly,	3686	10 0
	Ditto, dated May 8, 1758, burnt as per same report,	6319	10 9
		<hr/>	
		£10506	0 9

We, the subscribers, being appointed by the General Assembly a Committee, to examine how much of all sorts of bills hath been emitted upon the faith and credit of the government, do report : That of the several emissions preceding the 27th day of February, 1749, there was outstanding at that time (as appears by a report then made to the General Assembly, a copy of which is herewith presented,) the sum of £135335 13s 1 1-2d.

That it appears by a report made to the General Assembly in June, 1751, there was burnt of bills of credit received for bills of exchange sold, the sum of £24280 2s old tenor.

That in October, 1754, the General Assembly ordered a rate for £35,000 old tenor, £10,000 of which they appropriated for Fort George, and the remainder to sinking the Colony's outstanding bills of credit made to supply the Treasury : but there was only £13792 applied to the sinking of the said bills. £11208 collected by that rate was exchanged for Crown Point bills, which were burnt as appears by a report made to the Assembly in August, 1756.

In October, 1755, the General Assembly passed an act for a tax of £70,000 old tenor, and ordered that £40,000 thereof should be appropriated towards sinking the Colony's outstanding bills of credit, made and emitted to supply the

General Treasury for defraying the charge of the then present expedition ; and the remaining £30,000 towards sinking the outstanding bills of credit made and emitted to supply the Treasury for defraying the charge of former expeditions : but by an act passed in February following, the whole of that tax or rate was appropriated towards sinking the bills emitted for carrying on the expedition against Crown Point.

In November, 1756, there was burnt in old tenor bills collected by the said tax, the sum of £52271 17s 5d, of which there was in Crown Point Money £18430 3s ; the remainder of the sum then burnt amounting to £33841 14s 5d, was by order of Assembly taken out of the Grand Committee's Office and placed in the General Treasury. However, it appears by a report made to the General Assembly in February, 1758, that there was burnt £3575 15s 11d old tenor, part of this rate made in 1755.

The three sums placed on the credit side of the account amounting to £41647 17s 11d, being deducted from the sum outstanding the 27th of February, 1749, there remains £93687 15s 2 1-2d old tenor, which is now outstanding in old or rather new tenor bills emitted upon the faith and credit of the government.

There was emitted at the several times in the year 1755, noted on the debt side of the account, the sum of £240,000 old tenor, in bills called Crown Point Money, of which as appears by the several reports made to the General Assembly, held at the times noted on the credit side, and by receipts given to the late General Treasurer, Thomas Richardson, Esq. and to his Executor, Mr. William Richardson, (copies of which receipts we herewith present,) there hath been burnt the sum of £237678 3s. We think it proper to mention that the Crown Point Bills first placed in the account as burnt, were burnt at two several times ; first, £7,000, and afterwards the £11208 abovementioned :

and that there was presented to the General Assembly, held in September, 1757, a report dated May 27, 1757, in which the Committee who made that report say they had received and burnt £11053 1s Crown Point Money ; but as we believe that sum was included in the receipt dated June 2d, 1757, we have not placed it in the account.

In the year 1756, there was emitted in bills called Lawful Money the sum of £14,000, whereof £8,000 was in bills dated in February, 1756, and £6,000 in bills dated in August, 1756. There was burnt of these lawful money bills the sum of £4,000, as appears by a report made to the General Assembly, held the 14th of February, 1758, and the sum of £3764 19s 8d in bills emitted in February, 1756, as appears by a receipt, a copy of which we herewith present, given to the beforementioned General Treasurer : there was also burnt the sum of £235 0s 4d Lawful Money, emitted in February, 1756, as appears by a report made to the General Assembly, held in June, 1759, which the Committee that burnt it say is in full for said money. It is in full for £8,000, but through inadvertence the Committee burnt some of the bills dated in August, instead of those dated in February—some of the latter being still extant. By the last mentioned report it appears that the Committee had burnt £5605 19s August, lawful money, and by a receipt dated February 9, 1761, given to the aforesaid late General Treasurer, it appears that the Committee had received of him and burnt £312 0s 3d, August, lawful money ; and by another receipt dated May 29, 1761, given to Mr. William Richardson, (a copy of both which receipts we herewith present,) it appears they had received of him and burnt £5 5s 6d of said lawful money. The three sums of money last mentioned, together with £76 15s 4 1-2d lawful money in gold delivered by the said William Richardson to the present General Treasurer, Joseph Clarke, Esq. amount to £6,000 0s 1 1-2d, and



will, when the said gold is exchanged, complete the sinking of the whole £14,000 abovementioned.

In May, 1758, there was emitted £10,000 lawful money in bills carrying an interest of 5 per cent per annum, and in pursuance of acts of Assembly there have been several emissions since of the like sort of bills at the times noted on the debt side of the account, amounting, with the afore-said emission in May, to the sum of £76909 5s 3d lawful money ; of which there hath been burnt £3686 10s in bills dated June 23, 1759, and £6819 10s 9d in bills dated May 8, 1758, both sums exclusive of interest on the bills, as appears by a report made to the General Assembly in May last past. The General Treasurer hath informed us that he hath in his hands the sum of £62 4s 6d in May bills 1758, and the sum of £101 in June bills, 1759, and gold sufficient to redeem the remainder of the said June bills still outstanding. We submit this report to the Hon. General Assembly, and are their most humble servants.

JOHN GARDNER,  
EDWARD SCOTT,  
GEORGE HAZARD,  
WALTER CRANSTON,  
WM. RICHARDSON.

And the foregoing report being duly considered, it is voted and resolved, that the same be and hereby is accepted.

From report made August, 1762, it appears there was then due from the Colony £43749 16s old tenor, upon bonds given for old tenor bills hired at 10 per cent ; also, £5061 lawful money, hired at 7 per cent ; also, \$7191 1-2. The interest on the bonds is not included. There was then in the Treasury £896 12s lawful money, £1953 0s 3d New York currency, £354 10s in gold, £424 11s 6d in silver milled dollars, amounting to \$1061 7-16, and £1173 18s 9d in New York paper bills. Part of the last tax had not then been paid in.

## REPORT OF COMMITTEE, OCTOBER SESSION, 1764.

Whereas the Committee, appointed to prepare a state of the paper currency of this Colony, in answer to the requisition of the Lords, Commissioners for Trade and the Plantations, presented unto this Assembly the following state of the same, viz :

A state of the paper bills of credit issued since the year 1749, by the Colony of Rhode Island, drawn up in obedience to an order of the Lords, Commissioners of Trade and Plantations, dated at Whitehall the 11th of May, 1764.

In the month of March, 1750, there were issued by said Colony £25000 in bills, equal in value to about £18750 sterling. These bills were let out upon loan for ten years at 5 per cent interest, and then to be paid in at five equal annual payments, the whole of which sums is near expiring. These bills having depreciated are now of 2-5 of the value they were at when emitted. All the outstanding bills emitted before the year 1750, called Old Tenor, are drawing near their periods and will terminate in a short time.

In the year 1755, for paying the expense incurred by the Colony in carrying on the Expedition against Crown Point, there were issued bills equal to £13500 sterling, to circulate two years without interest and then to be called in and sunk, which was performed punctually within the time limited.

In the year 1756, for paying the expenses incurred by the Colony in the second Expedition against Crown Point, there were issued bills equal in value to £10500 sterling, like those of the last year, to circulate two years without interest, and then to be called in and sunk, which was fully done within the time limited.

The war still continuing and the Colony being called upon for larger quotas of men than it had hitherto raised, perceived that bills must of necessity be issued for a longer period than two years, otherwise it would be unable to

preserve their credit by a punctual payment at the time promised. Accordingly, in the year 1758, the Colony issued bills, agreeable, as it supposed, to one of the provisos contained in the act of Parliament, passed in the 24th year of the reign of his late Majesty George 2d, entitled "An Act to regulate and restrain paper bills of credit in his Majesty's Colonies or Plantations, of Rhode Island and Providence Plantations, Connecticut, the Massachusetts Bay, and New Hampshire, in America, and to prevent the same being legal tenders in payment of money." Which bills were to circulate five years and carry an interest of 5 per cent per annum. £20909 was this year issued agreeing in value to the Proclamation of the Tenth of Queen Anne, and to £15681 15s sterling. These bills were wholly called in and burnt within the time. But as all the paper bills that have been emitted by the Colony since the year 1758, have been in exact conformity in every respect to those emitted at that time, we here subjoin a copy of the Act of Assembly by which part of the said bills were created and issued, as a specimen of all the emitting acts since that time.

"An Act for emitting, in Bills of credit, a sum not exceeding ten thousand pounds lawful money."

Whereas the General Assembly, of this Colony, at their session in South Kingstown, on Monday, the 13th of March last, in obedience to his Majesty's commands, signified by one of his principal Secretaries of State, passed "an Act for raising and paying 1000 able-bodied, effective men, for the ensuing campaign against his Majesty's enemies in North America." And in order to supply the General Treasury for carrying the intentions of the act aforesaid into execution, the Assembly then directed the Treasurer to hire as much money as would be needful for that purpose, but the Treasurer having found it altogether impracticable to hire sufficient sums of money for the ends afore-



said, and it being of the utmost necessity and importance that the Treasury should be sufficiently supplied on this extraordinary occasion:

Therefore, be it enacted by this General Assembly, and by the authority of the same it is enacted, That bills of credit be forthwith impressed from types and signed by the persons hereinafter named, to a value not exceeding £10,000 lawful money, esteeming silver at and after the rate of 6s 9d per ounce, and gold at its proportionate value ; that the said bills shall carry an interest of 5 per cent per annum to the possessor, and shall pass with the interest added to them in all payments in which those bills are a lawful tender. The bills so emitted shall be of the denomination of 30's, 20's, 10's, 5's, 2's, 1's, and of 6d, and an equal number of bills shall be made of each denomination, and the bills shall be of the following form :

“ The possessor of this bill shall be paid by the Treasurer of the Colony of Rhode Island thirty shillings lawful money, at the rate of six shillings and nine pence for one ounce of silver, with interest at 5 per cent per annum, within five years from the date hereof. By order of Assembly, the 8th day of May, 1758.”

And those bills, as soon as made, shall be put into the General Treasury for the use and purposes abovementioned, and shall be received from thence for paying the expenses of the present or any other expedition, at the value aforesaid ; and that one milled dollar shall, at all times hereafter, be taken in lieu of six shillings of those bills ; and the bills so to be made shall be caused to be printed with such devices on the backs and borders as shall be thought fit, and signed and put into the Treasury by Jabez Bowen, Jeremiah Lippit, Joshua Babcock, Benjamin Nichols, and Joseph Clarke, Esq'rs. or any three of them.

And for the calling in and redeeming the bills to be emitted in consequence of this act, be it further enacted, That

a rate or rates be assessed on the inhabitants of this Colony in such time that it may be collected and brought into the Treasury in due season to redeem the whole of the said bills, together with the interest arising upon the same, within five years from the day of their dates : and that the whole of the rate or rates to be made for that purpose shall be made in the same bills now ordered to be emitted, or in silver at the rate of 6s 9d for every ounce, or in gold at a proportionable value, or in milled dollars at the rate aforesaid : and the gold and silver by those means drawn into the Treasury, shall be immediately applied to redeem the outstanding bills to be by this act emitted."

In the year 1759, for defraying the expense of the men raised for his Majesty's service in the same year, the Colony issued £20,000 in bills of the same tenor and of equal value with those emitted the year before ; and these bills have been wholly called in and burnt.

In the year 1760, for the same purpose, the Colony issued £27,000 in bills in the same manner. These bills are redeemable within the next year from this time and provision is already made for bringing in £10,000 thereof, including interest, but the Colony is not able to sink the remainder by the time it ought to be sunk, any otherwise than by taking up money upon loan for redeeming the bills.

Lastly in the year 1762, for the carrying on the war, the Colony issued £13,000 in bills in the same manner which will be redeemable in the year 1767.

The whole of the bills emitted on this plan have at all times fully kept their value, their only defect seeming to be that they carry too high an interest, which occasions their being hoarded, and thereby not answering the end of a medium.

By this state it appears that there are now circulating in this Colony in bills issued for carrying on the war, £40,000, equal to £30,000 sterling, about two thirds of which

sum must be called in and sunk in a year ; after which £13,000 only of the bills issued for the expense of the war will be circulating : these, together with the small remainder of Old Tenor bills that will be outstanding, will come to a final end in the year 1767.

Besides the bills emitted as aforesaid, this Colony is largely in debt for money hired of private persons during the course of the war ; and this debt is the greater because it has received nothing for its expenses incurred in support of the war in the year 1756, which was reimbursed the other Colonies by Parliament.

In a Colony where the constant demand for remittances to the mother country makes it impossible for silver and gold to continue, what will be the medium and instrument of commerce where paper bills are at an end, we know not.

This is a true state of the paper bills of credit in the Colony of Rhode Island, and is humbly submitted to your Lordship's consideration by the Governor and Company thereof.

Rhode Island, Oct. 30, 1764.

And the foregoing state of the paper bills of this Colony being duly considered, it is voted and resolved, That the same be and hereby is approved, and that his Honor, the Governor, be requested to sign and transmit two copies of the same to the Lords' Commissioners for Trade and the Plantations, by the first opportunities.

---

It would seem that a petition had been sent to England to endeavor to get the charter recalled. The Assembly request their agent to procure and send them a copy of it and the names of the signers.



TABLE OF DEPRECIATION OF COLONY CURRENCY IN  
NEW-ENGLAND.

	Exchange with London n old tenor.	1 oz. Mexico silver.	Spanish dollar, in old tenor.
*1702,	£ 133	6s 10 1-2d	
*1705,	135	7s	
1711,	140		Fixed at 140 by Mass. Legislature. [Douglas, 1. 310.]
*1713,	150	8s	Very little specie left in the country. [Huchinson.]
*1716,	175	9s 3d	
*1717,	225	12s 0d	
*1722,	270	14s 0d	
*1728,	340	18s	
*1730,	390	20s	
*1737,	500	26s	
1739,		27s	Fixed at 27s o. t. by act of emission of R. I.
1740,	525		Anderson—quoted by Gouge.
*1741,	550	28s	May. Bills of the last R. I. emission to pass one for four of old tenor.
1744,	596		Committee gave 596 old tenor for £100 for colony agent—gold dust £24 pr. oz.
*1745,	650		
*1748,	1000-1100		Douglas, 1. 310. Date of peace.
*1749,	1100	60s	
1750,	1100		Bills on London sold by R. I. Commit- tee. £275 new tenor, or £1100 old tenor, or £137 10s made=£100 sterling by act of emission.
1751,			June. Valuation amended. 64s old tenor or 16s new tenor to be equal to 1 oz. coined silver sterling alloy.
1751,			Aug. Spanish milled dollar fixed at 56s old tenor.
1751-2,	£4		Dr. McSparran. Failure of Dep. Gov. Whipple.
1761,		£7	
1763,		8	
1769,			Feb. May. 6s lawful money==£8 old tenor in paying a tax.

Those marked with a \* are from a table in the work of Dr. Douglas, 1. 494.

## CONTINENTAL MONEY.

Issues according to estimate of Register of Treasury, 1790.

	Old Emission.		New Emission.	
	Dollars,	90ths.	Dollars,	90ths.
1776,	20,064,464	66		
1777,	26,426,333	01		
1778,	66,965,269	34		
1779,	149,703,856	77		
1780,	82,908,320	47	891,236	80
1781,	11,408,095	00	1,179,249	00
	<hr/>		<hr/>	
	\$357,476,541	45	\$2,070,485	80

The first emission was dated May 10, 1775, but were not in circulation until some time afterwards. The first nine millions passed at par. They afterwards depreciated greatly. The bills ceased to circulate as money on May 31, 1781, but were afterwards bought up on speculation at from 400 to 1000 for one.

The depreciation in Philadelphia seems to have kept ahead of the rate in the other States. Thus, December 25, 1779, the exchange was thirty-five for one in New-England and New-York and forty for one in Pennsylvania and Virginia. The rates in Virginia followed close on to the rates of Philadelphia. The money circulated readily even when the exchange was two hundred for one.

Webster estimates the whole circulation of the thirteen States, just before the revolution, at \$12,000,000 or perhaps not more than 10,000,000 hard dollars actual value, of which at least two-fifths in all the States was specie. [Am. Almanac, 1830. Peletiah Webster's Essays, 1790. Gouge, p. 25.]

The following table exhibits the rate of depreciation of continental money. The rate at Philadelphia is taken from Mr. Gouge's work.

Specie value in Phila.		Legal scale in R. I.	Specie value in Phila.		Legal scale in R. I.
1777, Jan.	125	105	1779, April	1250-2200	1104
Feb.	150	107	May	2200-2400	1215
March	200	109	June	2200-2000-1800	1342
April	250	112	July	1800-1900-2000	1400
May	250	115	Aug.	2000	1650
June	250	120	Sept.	2000-2500	1800
July	300	125	Oct.	2000	2050
Aug.	300	150	Nov.	3200-4500	2208
Sept.	300	175	Dec.	4500-3500	2593
Oct.	300	275	1780, Jan.	4000-4500	2934
Nov.	200	300	Feb.	4500-5500	3322
Dec.	400	310	March	6000-6500	3736
1778, Jan.	400	325	April	6000	4000
Feb.	500	350	May	6000	6200
March	500	375	June	6000	6500
April	600	400	July	6000-6500	
May	500	400	Aug.	6500-7500	7000
June	400	400	Sept.	7500	7100
July	400	425	Oct.	7500-8000	7200
Aug.	500	450	Nov.	8000-10000	7200
Sept.	500	475	Dec.	10000	
Oct.	500	500	1781, Jan.	10000	
Nov.	600	545	Feb.	10000-12000	
Dec.	600	634	March	12000-13500	
1779, Jan.	700-900	742	April	13500-20000	7600
Feb.	1000	863	May	20000-50000	may 15, 8000
March	1000-1100	1000	May 30,		16000

VALUE OF TRADE BETWEEN GREAT-BRITAIN AND  
NEW-ENGLAND.

	Imports to Great-Britain.				Exports from Great-Britain.			
	£				£			
1701	32656	7	2		86322	13	11	1-4
1710	31112	17	7	1-2	106338	6	4	
1720	49206	12	6		128767	2	11	
1730	54701	5	10		208196	5	5	
1740	72389	16	2		171081	2	5	
1750	48455	9	0		343659	6	8	
1760	37802	13	1		599647	14	8	
1770	148011	14	9		394451	7	5	
1773	124624	19	6		526055	15	10	



Value of trade between Great-Britain and the colonies of Carolina, Georgia, New-England, New-York, Pennsylvania, Virginia and Maryland.

	Imports to Great-Britain.	Exports from Great-Britain.
1701	£ 309136	£ 343828
1710	246816	293662
1720	468190	519705
1730	662586	536862
1740	718418	813384
1750	804770	1313076
1760	761101	2611766
1770	1015538	3725575
1773	1369232	1979416

[Am. Almanack, 1830]

NOTE TO PAGE SEVEN. In addition to the circumstance here noticed, that the old bills of credit depended only upon the good faith of the government, while the bills of the present incorporated banks are bottomed upon actual property, and payment if refused, can be compelled by process of law.—It should be considered that the bills of credit were made a legal tender in most cases, in payment of debts, while no one is obliged to take the bills which are now issued, and their circulation is a matter of convenience and choice. The superior safety of the modern system is apparent at once.

NOTE TO PAGE SIXTEEN. It is here stated that death was the penalty for counterfeiting the bills of credit. This is a mistake. It was cropping and branding, and confiscation of all the offender's estate.

Written by Hon John Pitman

## To the Members of the General Assembly of Rhode-Island.

### *Friends and Fellow-Citizens :*

A portion of the people of Rhode-Island request your patient attention to a plain statement of facts and principles. They have no interest in deceiving you, had they the wish or the power to deceive you. In common with you, they have a deep interest in whatever affects the peace, character and happiness of their native State.

They would not address your passions or your prejudices. They seek not to gain a hearing, or to influence you through the medium of party names, by increasing that spirit which has ever been the greatest curse of popular governments. They would warn you against the baneful effects of the spirit of party, in the words of Washington, in that address which is bound up with our laws, as worthy of our highest respect and reverence.

The greatness of Washington was most resplendent in his wisdom and goodness ; happy would it be for our country, if those among us who aspire after political distinction, would study more and imitate his character.

Listen to these his farewell counsels :

"I have already intimated to you the danger of parties in the State, with particular reference to founding them on geographical discriminations. Let me now take a more comprehensive view, and *warn* you, *in the most solemn manner*, against the baneful effects of the spirit of party, generally."

"This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists, under different shapes, in all governments, more or less stifled, controlled or repressed; but in those of the popular form, it is seen in its greatest rankness, and is truly their *worst enemy*."

"The alternate dominion of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism; but this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek *security and repose* in the absolute power of an individual; and sooner or later, the chief of some pre-



vailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty."

How many, in our country, already despair of the republic, whose experience, while it has taught them the wisdom of these counsels, has also impressed them with the fear, which Washington expressed, towards the close of his address, in this impressive language :

"In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish ; that they will control the usual current of the passions, or prevent our nation from running the course which has *hitherto marked the destiny of nations* ; but if I may even flatter myself that they may be productive of some partial benefit—some occasional good ; that they may now and then recur to *moderate the fury of party spirit*, to warn against the *mischiefs of foreign intrigue*, to guard against the *impostures of pretended patriotism* ; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated."

Would to God that such affection and such wisdom might reach all our hearts !

Washington warned us also upon another topic. He had seen and felt, during his administration of the government, the evil effects of political societies.

In 1792, in the words of Chief Justice Marshall, certain Societies had constituted themselves the guardians of American liberty."

"By the French revolution, the force and power of these institutions had been fully developed ; and their efficacy in *prostrating existing establishments* had been clearly ascertained.

The tendency of such societies, in organizing an opposition to government, and causing the citizen to forget the duties of allegiance, induced Washington to address his countrymen in the following language :

"The basis of our political systems is the right of the people to make and alter their Constitutions of Government ; but the Constitution which at any time exists, till changed by an *explicit and authentic act of the whole people*, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the *duty of every individual* to obey the *established government*."

"All obstructions to the execution of the laws, all combinations and *associations under whatever plausible character*, with the real design to *direct, control, counteract or awe*, the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force—to put in the place of the



delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community ; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common counsels, and modified by mutual interests."

"However, combinations and associations of the above description may now and then *answer popular ends*, they are likely in the course of time and things to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to *subvert the power of the people*, and to *usurp for themselves the reins of government*; destroying afterwards the very engines which have lifted them to unjust dominion."

You may well suppose, that your attention has not been called to these sentiments of Washington, at this time, without some object. As the pious Christian resorts to the precepts of his Master, and the Scriptures of the New Testament, to strengthen his faith, and to enable him to conquer the evil propensities of his nature, so may the honest politician—by resorting to this pure fountain of political wisdom and patriotism, the testament of Washington—find his faith increased, his resolution strengthened, and his moral courage rising with the exigency of the times ; so that, if he has any fear, it will be the fear of doing wrong, or of injuring his country by a failure to do his duty ; or rather he will be filled with that "perfect love" to his country, "which casteth out fear."

It is not to be disguised, that we have arrived at a crisis in the affairs of our State, which demands all your wisdom and patriotism. It is not to be disguised that there is a party in the State which has become organized by means of a political society, which now seeks "to put in the place of the delegated will of the" State, "the will of a party," and to thrust upon us a Constitution formed exclusively by themselves and for themselves. Constitutions, more than all other things, should be the result of "consistent and wholesome plans, digested by common counsels, and modified by mutual interests," but the Constitution which they would give us, is but "the mirror of the ill-concerted and incongruous projects of faction."

It is not to be disguised, that, upon a subject which concerns alone the people of this State, we have felt "the mischiefs of *foreign intrigue*," which has given a new "*fury to party spirit*," and if, by their fruits ye shall know them," we require to be "guarded against the impostures of *pretended patriotism*."

A class of men who have become fanatical on one subject, have been so wrought upon by each other, that they have forgotten their

duties as citizens, and are now striving to impose upon this state a Constitution, made, to use their own language, "without law and against law," put out to the people by a Convention not called or authorized by a majority of the people, in any sense, but sitting alone, by their own usurped authority, and in contempt of a law by which a Convention to form a Constitution for the People of this state, is now organized and in being! Such a Constitution thus framed without law, put out to the people without law, has been voted upon without law, by persons who, in no legal sense, are the people of this state, and under circumstances and pretended regulations which admitted of the grossest frauds. These regulations, judging by their own internal evidence, seemed to have been framed but for one purpose, to procure a majority, at all events, of votes to be counted and declared by this same illegal Convention.—A Constitution thus framed and thus pretended to have been adopted, as the voice of the people of this state, you are required to receive and obey as the supreme law of the land!

If such proceedings can for a moment be countenanced by you, revolutions which are to be justified only on the principles of the direst necessity, are to become our daily food; and the foundations of society are to be rooted up as often as faction after faction may find it for its interest to demolish the established government. Under such a system you must perceive that minorities can have no rights, and honest men no security. To-day it may be on a question of Suffrage, to-morrow it may be on a question of *property*. The same person who came from abroad to excite our citizens on the question of suffrage, gathering confidence from success, may again be heard among us, inculcating his agrarian doctrines on the subject of property. We allude to Mr. Augustus O. Brownson.

The history of our own country presents us with a case somewhat parallel. At the close of our Revolutionary War, there was much distress in the community, not upon a question of abstract right, but in relation to taxes and debt, there being very little specie in our country, and much excitement in relation to tender laws and paper money.

In Marshall's *Life of Washington*, Volume V, some account is given us of these troubles in New-England, and particularly in Massachusetts. In the latter they are known as "Shay's Rebellion."

In the words of this faithful Historian,

"The restlessness produced by the uneasy situation of individuals, connected with lax notions concerning public and private faith, and erroneous opinions which confound liberty with an exemption from legal control, produced a state of things which alarmed all reflecting men, and demonstrated to many the indispensable necessity or *clothing*



government with powers sufficiently ample for the protection of the rights of the peaceable and quiet, from the invasions of the licentious and turbulent part of the community."

This Historian continues, and here mark the parallel!

"This disorderly spirit was cherished by *unlicensed Conventions*, which, after voting their own constitutionality, and *assuming the name of the people*, arrayed themselves against the legislature, and detailed at great length the grievances by which they alleged themselves to be oppressed."

Those who composed the Suffrage Convention may think the case not parallel, as they did not vote expressly their own constitutionality; but they virtually did so by sitting at all, and especially by determining who should vote on their Constitution, which was, in fact, by their own authority, an alteration *per se* of the Constitution of the State.

The catalogue of grievances, which, it is contended, now justifies revolution in Rhode-Island, is very short. These grievances are more imaginary than real, and they all resolve themselves into the question of suffrage. We will presently examine the nature and history of this grievance in our State, which now presents itself in such magnitude.

It was suggested to Washington, that his presence and influence "among the seditious might bring them back to peace and reconciliation." He replied:

"You talk, my good Sir, of employing *influence* to appease the present tumults in Massachusetts. I know not where that influence is to be found; nor, if attainable, that it would be a proper remedy for these disorders. *Influence* is not *government*. Let us have a government by which our lives, liberties and properties will be secured; or let us know the worst at once. \* \* \*

"These are my sentiments:" he continued, "*Precedents are dangerous things*. Let the reins of government then *be braced*, and held with a steady hand; and every violation of the Constitution be *reprehended*. If defective, let it be amended, but not suffered to be *trampled upon, while it has existence*."

It may be supposed, perhaps, that if this insurrection in Massachusetts had been countenanced by the majority of the people, it would have changed its character, and have become a lawful revolution.—Not so reasoned the wise men of those days. They knew too well the nature and necessity of government, and that a majority to be rightful must be legal.

Judge Marshall (life of Washington, vol. 5, p. 117) says:

"Colonel Lee, a highly respectable member of Congress, who had performed a distinguished part in the war of the revolution, drew the following picture of the condition of the Eastern country at that time: General Knox has just returned, and his report, grounded on his own



knowledge, is replete with melancholy information. *A majority of the people of Massachusetts, are in opposition to the Government.* Some of the leaders *avow the subversion of it* to be their object, together with the abolition of debts, the division of property, and a reunion with Great Britain."

It was in answer to this letter from Col. Lee to General Washington, and which suggested that Washington might be called by Congress to use his influence in restoring quiet to the State, that Washington replied as above quoted, "Influence is not government." "Let the reins of government then be braced and held with a steady hand." What a violator must Washington have been of the rights of majorities, as now expounded in this "New Age" in Rhode-Island! Washington, no doubt, believed that government had some rights and some duties: that, among them, was the right and duty to protect itself, and that the minority had a right to look to it for protection against those, whether few or many, who raised the standard of anarchy against the Constitution and the Laws.

So also reasoned, and so acted, the Government of Massachusetts, in this emergency. They sent Gen. Lincoln against the insurgents.

Judge Marshall says:

"Urging his march with the utmost celerity, Lincoln soon came up; and pressing the insurgent army, endeavored, by a succession of rapid movements, in which the ardor of his troops triumphed over the extreme severity of the season, to disperse, or to bring it to action. Their Generals retreated from post to post with a rapidity, which, for some time, eluded his designs; and rejecting every proposition to lay down their arms, used all their address to produce a suspension of hostilities, until an accommodation might be negotiated with the legislature"!! "Applications were also made," says General Lincoln, "by committees and Selectmen of the several towns in the counties of Worcester and Hampshire, praying, that the effusion of blood might be avoided, while the real design of these applications was supposed to be, to stay our operations until a *new Court should be elected*. They had no doubt, if they could keep up their influence until *another choice of the legislature*, and of the executive, that matters might be moulded in General Court to their wishes. To avoid this, was the *duty of Government*." "In answer to these applications," continues Marshall, "Lincoln exhorted those towns who sincerely wished to put an end to the rebellion without the effusion of blood, "to recal their men now in arms, and to aid in apprehending all abettors of those who should persist in their treason, and who should yield them any comfort or supplies."

"The army of government continued to brave the rigors of the climate, and to press the enemy without intermission. At length with the loss of a few killed and several prisoners, the rebels were dispersed,

their leaders driven out of the State, and this formidable and wicked rebellion was completely quelled."

"The same love of country which had supported the officers and soldiers through a perilous war, still glowed in their bosoms; and the patriot veterans of the revolution, uninfected by the wide spreading contagion of the times, arrayed themselves almost universally under the banners of the Constitution and laws."

Such was the spirit of 1787.—Such was the Constitutional law of Washington, Lincoln, Marshall, and the government of Massachusetts. They believed that a majority acting illegally, required to be put down by the government, that this "rebellion" was no less wicked, because it was "formidable," that this "contagion" was no less dangerous, because it was "wide spreading;" they believed, in fine, that "a majority of the people," infected by this "wide-spreading contagion," might be "in opposition to the government," and that it was still the "duty of the government," to put such an opposition down—the duty of the government to protect itself, and those whom they were bound to protect, against the temporary madness of the people.

That such also were the sentiments of the people of the United States, is manifested by the Constitution of the United States, which they adopted, containing a provision intended to protect the minority, under certain circumstances, and the government of the State against the lawless acts of a *majority*, and so expounded to the people before its adoption by Mr. Madison in the Federalist. In the 43d number of the Federalist, Mr. Madison comments on that part of the Constitution which provides, that "the United States shall protect each State, on application of the Legislature, or of the executive, (when the legislature cannot be convened) against *domestic violence*."

Mr. Madison says:

"Protection against domestic violence is added with equal propriety. It has been acknowledged that even among the Swiss cantons, which properly speaking, are not under one government, provision is made for the object; and the history of that league informs us, that mutual aid is frequently claimed and afforded; and as well by the most democratic as the other cantons. *A recent and well known event among ourselves* has warned us to be prepared for emergencies, of a like nature."

Alluding to the insurrection in Massachusetts. He continues.

"At first view, it might seem not to square with the republican theory, to suppose, either that a *majority* have not the right, or that a minority will have the force to *subvert a government*; and, consequently, that the federal interposition can never be required, but when it would be improper. But *theoretic reasoning*, in this, as in most cases, must be qualified by the *lessons of practice*. Why may not illicit combinations, for purposes of violence, be formed as well by a *majority* of



a State, especially a *small State*, as by a majority of a county, or a district of the same State; and if the authority of the State ought in the latter case, to protect the local magistracy, ought not the federal authority, in the former, to *support the State authority*? Besides, there are certain parts of the State Constitutions, which are so interwoven with the federal Constitution, that a violent blow cannot be given to the one, without communicating the wound to the other."

Mr. Madison then asks;

"Is it true that *force* and *right* are necessarily on the same side in republican governments?"

He puts several cases to show that a majority having the *right* may not be able to contend with the *minority* having the *force*, and hence the necessity of the interposition of the federal authority to preserve the State from domestic violence. He then puts a case where a *majority of persons* in the State may have the *force*, but not the *right*, and in such a case the interposition of the federal authority would be needed. This latter case, as put by Mr. Madison, ought to settle the question of *right* which is now in controversy in our State, as it respects the right of a *majority* to do all things.

Mr. Madison says:

"May it not happen, in fine, that the minority of *citizens* may become a *majority of persons*, by the accession of alien residents, of a casual concourse of adventurers, or of those whom the *Constitution of the State* has not admitted to the *right of Suffrage*?"

Suppose a minority who have the right of suffrage, become a *majority of persons*, by the accession of those who have not, by the Constitution of the State, the *right of suffrage*? what then? Have such a majority a right to put down the government? Yes, say the Free Suffrage Party. No, say Mr. Madison and the Constitution of the United States. "On application of the Legislature, or of the Executive, in case the Legislature cannot be convened," the United States are bound to protect the State "against domestic violence" which may be caused by such a majority.

The Free Suffrage Party, in their late voting, called to their aid, alien-residents, non-residents, and persons who, by their own Constitution, are not entitled to the right of Suffrage. They, in truth, have made their appeal to force, to numbers, "without law and against law," even against the law which they have made for themselves. No one can mistake their object. If they can overawe some, and deceive others, so as to induce you to abdicate and suffer them to seize the reins of government, their object is accomplished. In the absence of any other government in this State, they become the government *de facto*, if not *de jure*, that is the government *in fact*, if not of *right*, and



then there will be no rightful Legislature, no rightful Executive to apply to the government of the United States to defend this State and the rightful government thereof from "domestic violence." They know full well, at least, their leaders do, that there can be no hope for them in their lawless movements, if you are firm and do your duty to yourselves and the State.

Here we might rest our appeal to you. The path of duty is the path of safety. No government can sanction doctrines which are suicidal, which go to its own destruction. It is the first duty of government to protect itself; if it fails in this duty, it cannot protect the citizens whom it is its duty to protect. The citizen owes allegiance to the government, the government owes protection to the citizen. These duties and the rights which grow out of them are reciprocal. The right of the government to require the obedience of the citizen, is no stronger than the right of the citizen to require protection from the government. And the duty of the citizen to obey the government, is no stronger than the duty of the government to protect the citizen. If the citizen fails to perform his duty to the government, he is punishable according to the magnitude of his offence. If he wages war against the government, it is treason. But is it any less treason in the government, though there is no power *on earth* to punish it, to abandon its duties to the citizen? If we are to judge of the enormity of crimes by their consequences, the government which proves false to its duties, and in the moment when protection is most required, abdicates its power, and leaves the citizen to the mercy of usurpers, is guilty of a much higher crime than the citizen who may be regardless of his allegiance. In the latter case, the evil may extend to but few, and have a very partial operation; but when the government becomes regardless of its duties, the evil extends to all, anarchy ensues, and the community becomes the prey of lawless violence.

"Precedents are dangerous things," said Washington. "Let the reins of Government then be braced, and held with a steady hand; and every violation of the Constitution be reprehended. If defective, let it be *amended*, but not suffered to be *trampled upon while it has an existence*."

Here we might stop, confident that you will never betray your trust, but that you will perform all those duties which the peace and safety of the State require at your hands.

So much, however, has been said on the right of suffrage, as connected with the right of revolution; and so much about the right of the people to revolutionize States at their pleasure; and the right of a

majority of the people to exercise this right in the name of the people, and to put up and put down governments at their will, "without law and against law," that we would solicit your attention a few moments, whilst we state a few principles in relation to these topics.

Who are the people of Rhode-Island?

This, you will perceive, is a fundamental question. It lies at the foundation of all the other questions. Whatever are the rights of the people of Rhode-Island, those who are not the people of Rhode-Island, in any legal or constitutional sense, have no legal claim to such rights. An attempt to exercise the rights of the people of Rhode-Island by those who are not the people of Rhode-Island, is an attack upon the rights of the people,—a crime against the State. Such a crime, the Athenians punished with death.

When writers state that the people have a right to establish and to alter their forms of government, what do they mean by the term people? Do they mean that all persons who, at any one period of time, are to be found and counted within the limits of a State, are the people, and that a majority of them have this right to put up and to put down government? The question answers itself.

In a political sense, in which sense the word "people" is used by political writers, it is to be understood as applicable only, in a free State, to those who by its fundamental laws possess the political power. This question, therefore, is to be settled by the fundamental laws of every free State. These fundamental laws express the will of the people, in this respect, whether expressed mediately by their delegates, by an act of the Legislature, or by themselves, immediately, in the form of a written Constitution, adopted by their own votes.

Those who are desirous of throwing down all distinction between those who are, and those who are not the people, in a political sense, have been industrious in propagating the notion that we have no fundamental laws in this State, by which to settle this question. Their first work, therefore, has been to bring into contempt the charter, and the form of government which the people of this State, adopted for themselves, and which has now existed for nearly two hundred years; a form of government under which we adopted the Constitution of the United States. And if the doctrine of those who denounce the government of this State as a usurpation, be true, then may they as rightfully refuse to obey the constitution and government of the United States, as the laws enacted by the General Assembly of this State. King Numbers has the same authority to nullify an act of Congress as an act of the General Assembly.



The charter, by the by, contains no provisions on the rights of suffrage, leaving the people of this State to regulate this matter for themselves. Whatever, therefore, may be our fundamental laws, on the question of suffrage, the people of this State made them for themselves as they had a right to do; they were not imposed upon them by any foreign power. As the free and voluntary act of the people of this State, they are no less binding on themselves and others, because the people owed allegiance to a King, who, on his part, owed them protection. At the revolution, the people of this State did not see fit to change their fundamental laws, or to repudiate their charter: they threw off a foreign yoke, but did not make a domestic revolution; having a form of government already sufficiently republican and democratic, and which they, no doubt, venerated as coming from those fathers, who had rendered themselves illustrious in the history of civil and religious liberty. They found it all-sufficient for the exigencies of 1776, and though they have frequently been invited since to adopt a written constitution, they have, *by their votes*, returned this answer,—“We are unwilling to change our fundamental laws.”—Who have a right to say they shall be changed, when the people say they shall not? Who have a right to say in what form the people shall put their fundamental laws but themselves? Judge Story, in his *Commentaries on the Constitution of the United States*, says:

“It (Rhode-Island) still continues to act under the same Charter as a *fundamental law*, it being the only State in the Union which has not formed a NEW Constitution of government.”

In the origin of society, those, who associate together for the purposes of government, become a body politic, each one of them being a member thereof. This body politic has a right to admit other persons to become members thereof, and, without such admission, no person can rightfully become members thereof. This power of admitting members, wherever it resides by the form of the government, is a very important power. Upon its proper exercise the well-being, the existence of the State may depend.

But however such a body politic exercises its right, those who are not members, have no right to complain, much less have they a right to force themselves upon the body politic, or to receive such admission from the hands of those who have no authority to admit them. Such an attempt, if successful, by the force of numbers, is conquest, and neither more nor less than conquest.

When, in 1636, Roger Williams, and his Associates, settled Providence, they incorporated themselves into a “town fellowship.” The



following ancient record escaped the destruction of the records in Philip's war, and is the first to be found, in an ancient book, dated August 20, 1637.

"We, whose names are here under, desirous to inhabit the town of Providence, do promise to subject ourselves in active and passive obedience to all such orders and agreements as shall be made for public good of the body in an orderly way, by the major consent of the present inhabitants, masters of families, incorporated together into a *town fellowship* and *others whom they shall admit unto them*, only in civil things."

Without such admission as is herein specified, no person could become a member of this "*town fellowship*."

William Coddington, and his associates settled on the Island of Rhode-Island, in 1637-8. Their compact reads thus :

"We, whose names are underwritten, do swear solemnly, in the presence of Jehovah, to *incorporate ourselves into a body politic*, and as he shall help us, will submit our persons, lives and estates unto our Lord Jesus Christ, the King of Kings, and Lord of Lords, and to all those most perfect and absolute laws of His, given us in His holy word of truth, to be guided and judged thereby."

In 1641-2, they declared, that their government was "a democracy," and that the power to make laws for their government, and to depute ministers to execute them, was "in the body of *freemen, orderly assembled*, or a major part of them."

The word "*freemen*," was not used by way of disparagement to those inhabitants who were not admitted members of the body politic, as if they were slaves, a sense, which, for their own purposes, the suffrage party have attempted to give to the same expression in our fundamental laws; it is a word familiar to the common law of England, in reference to town corporations, and designates such are members, or have been made free of the corporation.

Warwick was settled in 1642-3 by another body of men. So that there were three distinct settlements in this State, originally, entirely *independent of each other*.

Providence, Newport and Portsmouth, being desirous of uniting under one government, in 1643, Roger Williams went to England, to procure for them a Charter of government. It was procured from the parliament, under the Commonwealth, and incorporated the towns of Providence, Portsmouth, and Newport, by the name of "The incorporation of Providence Plantations in the Narragansett Bay in New-England; with full power to govern themselves, by such a form of government as they thought best, in conformity so the laws of England, 'so far as the nature and constitution of the place would admit.'"

Under this Charter they formed for themselves a government in 1647, and admitted Warwick into the association.

At the restoration, in 1660, it was thought that a Charter, derived from the Commonwealth, would not be respected by the King. Exortions were therefore made by the people to secure the King's favor, and a committee, of three, from each town, were appointed to petition the King. A new commission was made out to Mr. John Clarke, then in England, appointing him their agent "for the preservation of their *chartered rights and privileges.*"

The new Charter was received in November, 1663, by the Court of Commissioners at Newport, "*at a very great meeting and assembly of the Freemen of the Colony,*" says the record. "Thanks to the King—thanks to Lord Chancellor Clarendon, and thanks, and a gratuity of one hundred pounds to Mr. Clarke, their agent, were *unanimously voted.* The next day after the Charter was received, the old government surrendered to the new.

Here was the full consent of the people by which this government was legitimately formed, and has legitimately continued. Where do we see any of the features of usurpation, which are said to stigmatize our government, by men who seek its destruction? The Charter was granted to the people in answer to their request, accepted by them with joy and gratitude, and constitutes, by its provisions in favor of liberty of conscience, one of the most glorious traits in the history of Rhode-Island. He must be the degenerate plant of a strange vine, who can see anything in this Charter, to abuse and vilify.

Under this Charter, power was given the General Assembly to choose such persons as they should think fit "to be free of the said Company and body politic, and them into the same *to admit.*" This power the General Assembly continued to exercise, until they granted to the towns the power to admit freemen, or members of the body politic, under such regulations as they prescribed, and which have been re-nacted, twice, at least, since 1776, and, for more than one hundred years, have formed a part of our fundamental and Constitutional law. If this be usurpation, where is legitimacy?

Do you, members of the General Assembly, when you take your seats in the halls of legislature, feel as if you were usurpers? Do you acknowledge that your constituents are aristocrats, and tyrants, and that you ought to be hurled from your seats, to make way for those, who have admitted the Gauls into the Capitol, and whose commissions, they say, are signed by king numbers?

If governments derive "their just powers from the consent of the

governed," yours is such a government. The people were its founders, and it has continued ever since by the annual and semi-annual consent of the people. Those who have come into the State have consented to this government, or they had no right to come in. If they came in to overturn it, they came in as enemies and should be treated as such. Those who are born here owe allegiance to the government in return for the protection afforded them. When they arrive at manhood, they consent to the government by continuing in the State. So long as all are free to come, to go or to stay, their consent is given by coming and by staying. When we make an agreement, are we at liberty to violate it? When we have given our consent to a government, are we at liberty to withdraw that consent, to violate the rights of the government, and the duty of allegiance?

If the government to which we have consented either expressly or impliedly violates its duties to us, as the King of England violated his duty to our fathers, in the manner set forth in the declaration of Independence, "by every act which may define a tyrant;" if the government forfeits our allegiance by refusing its protection, then may we talk with some show of the right of revolution. Then, in order to protect ourselves, we should have a right to form a new government, and, if in so doing, we should be obliged to unsheath the sword in resistance to tyranny, then might we, in imitation of our patriot fathers in '76, with pure hearts and consciences, "appeal to the Supreme Judge of the world for the rectitude of our intentions." Then might we hope that all good men would be on our side, and, relying on divine protection, we might exclaim "God and our right."

But what profanity, to cite the example of the American revolution, to justify the revolutionary movement of the suffrage men of Rhode-Island!

What is the grievance of which the suffrage men complain? They are not allowed to vote! Are they injured by this—are they put out of the protection of the law—are their persons and their property in jeopardy? It may be, in truth, so far from this being the case, that they are better protected, and more safe in their persons and property, than they would be under a government of unlimited suffrage. We need only to go to the City of New-York, to see how much less secure the people of that city now are, under the reign of free suffrage, than they were under a more restricted suffrage. It is, therefore, possible that what is complained of as a grievance, may, in truth, be a benefit. This often happens in regard to the government of God—



what we deem a curse, turns out a blessing—and it is often so in human governments.

But, it is said, all men are equal; and, therefore, all men have an equal right to suffrage. If this be admitted in the origin of society, it is not true after governments are formed.

Under the rule of equality there could be no practical government. The right of majorities is an infringement upon that rule. The governors and the governed are not, for the time being, on an equality. The officer and soldier are not equal. They are all equal by amenable to law, and in this sense only are equal. For the great purposes of society, the good of the whole, some must command and others must obey. We see, therefore, that in society we must be governed, and cannot always govern, as we would wish. The right of suffrage, as it exists not in a state of nature, cannot be called a natural right. It exists only in society, and is the exercise of political power; it is therefore a political right, and to be exercised for the public good.—He who has it, and uses it for his own selfish purposes, is unfit to possess it, and society would do right to take it from him. In some States, therefore, he who sells his vote has been deprived of his right. As this is a right to be exercised for the public good, and not for private emolument, it is evident it should be placed only in such hands as will be most likely to use it for the public good. Who shall determine this question? the public or the individual? Every individual, no doubt, thinks this power safe in his own hands; and if it be left to him to determine this matter, as it is by the Free Suffrage Constitution, he would, no doubt, determine it in his own favor.

In the original formation of society, every man may have an equal voice in determining the question, but after it is determined, the fundamental laws of the society are the standard of right and wrong on this question, and those who are excluded have no right to complain that their individual rights are invaded. However, therefore, the fundamental laws may regulate this matter, it can afford no ground for the right of revolution, *per se*. There must be oppression, there must be tyranny; in the words of the declaration of independence, “when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce the people *under absolute despotism*, it is their right, it is their duty, to throw off such government.”

Is the regulation of the right of suffrage, as it now exists, such abuse, such usurpation, such despotism? Yes, say the free suffrage association. We have seen in our State its origin, by the will of the people; this therefore cannot be *usurpation*. Where is its abuse, where its

despotism? In the heated imagination of those who have been so wrought upon that they can see nothing in it but

“*Gorgons, Hydras, and Chimeras dire.*”

How have wise and sober men thought on this subject? Mr. Van Buren, in the New York Convention (Debates, page 227) said,

“One word on the question before the committee. We had already reached the verge of *universal suffrage*. There was but one step beyond. And are gentlemen prepared to take that step? We were cheapening this invaluable right. He was disposed to go as far as any man in the extension of rational liberty; but he could not consent to undervalue this precious privilege, so far as to confer it with an indiscriminating hand upon every one, black or white, who would be kind enough to *condescend to accept it.*”

Again, Mr. Van Buren said; (page 267.)

“When fully urged, he knew that he would be able to convince every member of this committee of the dangerous and alarming tendency of that precipitate and unexpected prostration of all qualifications. At this moment, he would only say, that among the many evils which would flow from a *wholly unrestricted suffrage*, the following would be most injurious, viz:

“First—it would give to the City of New-York about twenty-five thousand votes; whilst under the liberal extension on the right, on the choice of delegates to this Convention, she had but about thirteen or fourteen thousand. That the character of the increased number of votes would be such as would render their elections rather a *curse* than a *blessing*; which would *drive from the polls all sober-minded people*; and such, he was happy to find, was the united opinion, or nearly so, of the delegates from that City.”

How has this prediction been verified! and what better has Providence to expect, as her numbers swell, by the increase of a foreign population?

In the same Convention, Mr. Rufus King said: (page 286.)

“If any gentleman had supposed him to be in favor of *universal suffrage*, as their language would seem to imply, they had grossly misapprehended his sentiments. In his view, such an extent of the elective franchise would be in the *highest degree dangerous*—no government, ancient or modern, could endure it.”

“The protection of property, and the encouragement of honest industry constituted the basis of civil society, and were the primary object of government. The possession of property was generally an indication of other qualifications. He would exclude all who had not the capacity to discriminate between candidates, nor the independence to exercise the right discreetly. In his view *universal suffrage* was perilous to us, and to the country; and, if it were sanctioned, he should regret having been a member of this Convention.

In the same Convention *Chancellor Kent*, said: (page 221)

“The tendency of universal suffrage, is to jeopardize the rights of



property, and the principles of liberty. There is a constant tendency in human society, and the *history of every age proves it*, there is a tendency in the poor to covet and to share the plunder of the rich; in the debtor to relax or avoid the obligation of contracts; in the majority to *tyrannize over the minority*, and trample down their rights; in the indolent and the profligate, to cast the whole burden of society, upon the industrious and the virtuous; and there is a *tendency in ambitious and wicked men, to inflame these combustible materials.*"

"The growth of the City of New York is enough to startle and waken those who are pursuing the *ignis fatuus* of universal suffrage. It is rapidly swelling into the unwieldy population, and with the burdensome pauperism, of an European metropolis. New-York is destined to become the future London of America; and, in less than a century, that city, with the operation of *universal suffrage*, and under skilful direction, will govern this State."

In the Appendix, No. 1, to the Debates of the Virginia Convention 1792-30, is given the Address of Governor Giles,—an old-fashioned Jeffersonian democrat, formerly known as "Farmer Giles,"—to the Executive Committee, in which he says:

"He had been induced to select New-York for this comparison, because the late Convention, of that State, had been frequently resorted to for precedents, to influence the measures of this Convention. but he hoped that they would be considered as precedents rather to be *shunned* than to be *followed*; for he had the *best reasons to believe*, that if the same members who formed that Constitution, had to act again, they would, themselves, *disavow the very precedents they had set*; for he believed that they had done more injury to the former Constitution, by the single provision which introduced the notion of *universal suffrage*, than could be compensated for by all the other amendments put together; and the very members who introduced that provision, would be the last to introduce it under the *experience of its practical operations*, whilst they had now nothing left but the *deepest lamentations for their own indiscretion.*"

Chancellor Kent, in his Commentaries on American Law, says:

"*Rhode-Island and New Jersey* are the only States in the Union that have brought down their Constitutions from 1776, *triumphantly against every assault*. The progress and impulse of popular opinion is rapidly destroying every constitutional check, every *conservative lament*, intended by the sages, who framed the earliest American Constitutions, "as safeguards against the abuses of *popular suffrage.*"

"Such a rapid course of destruction of the former constitutional checks, is matter for grave reflection; and to counteract the dangerous tendency of such combined forces as *universal suffrage, frequent elections, all offices for short periods, all officers elective*, and an unchecked press; and to prevent them from racking and destroying, our political machines, the people must have a larger share than usual of that wisdom which is *first pure, then peaceable, gentle, and easy to be entreated.*"



Are these wise counsels of wise men worthy our attention? Is not universal suffrage bad enough, but must it be attended by usurpation, and revolution, lest our ruin should not be complete? Must we not only lose all the conservatism of our Constitution, but is our government to be trampled in the dust, and the character of the State destroyed? Men, regardless of morals, are often saved from utter profligacy, by some sense of shame. But we are not to have even this security.

*Usurpation* leads the van, *universal suffrage* brings up the rear; who after this, out of the State, will not be ashamed to hail from Rhode-Island? If the disgrace of these proceedings would fall upon those only, who have brought them upon us, it would be well; but it falls upon you, if you fail to do your duty; it becomes the inheritance of our children.

If such proceedings are to be sanctioned or tolerated, the history of Rhode-Island will never be written, except by those who may wish to hold us up, as a warning, to the contempt and execration of mankind.

In Massachusetts, it has been thought surprising how we got along so well in Rhode-Island, under our democratic system, and especially, with that judicial system, by which our Judges are elected, annually, by the Legislature. A great lawyer and statesman of Massachusetts said, nearly forty years ago, in relation to our judicial system, "the people of Massachusetts would not endure such a system for a single day."

The reason why the people of this State have enjoyed so much security under their system of government, is the *freehold qualification of suffrage*. A distinguished citizen of New Hampshire, in conversing with a Rhode Island man who stated the difficulty of adopting a written Constitution in Rhode Island, said:—"You have one feature in your Constitution, which of itself is worth more than most of our written Constitutions, your *freehold qualification*."

Under our system, we have, to quote again the words of Chancellor Kent, "frequent elections, all offices for short periods, all officers elective;" if these be "combined with universal suffrage," how can we, under such a Constitution, have any "constitutional checks?" Of how much more value will be such a written Constitution than the paper or parchment on which it is engrossed?

The great object of a written Constitution, made by the people, is to check the legislative power, and to give greater permanency to the fundamental law. How is this to be done? Principally by giving independency to the Judiciary, so that in deciding a case between

individuals, where a question arises as to the constitutionality of an act of the Legislature, the Judges may not be under the influence of the Legislature. Taking men as they rise, we have no right to expect that a small body of men, who are dependent on a large body of men, or their offices and their pay, will, to any effective purpose, control the larger body.

To secure that permanency to the fundamental laws which is the object of most written Constitutions, and which is so desirable, the Constitution should not be amendable by a bare majority of the people. As the right of majorities to rule depends entirely on the social compact, the people have a right to mould their Constitutions, in this respect, as in their judgment the safety of the State requires.

A Constitution which may be changed by a majority of the people, under a system of *universal suffrage*, it is evident, will be less permanent, than where the fundamental law depends on the legislature, elected by those who have a freehold qualification. The history of our State is a sufficient proof of this. Rhode-Island, therefore, would lose more than she would gain in this respect, by accepting the Constitution of the free suffrage Convention. The legislature, it is true, have the power of proposing amendments; but we all know, how under our systems of government, public men shun responsibility, and are ready enough to throw every thing upon the people.

Shall we gain in any other respect? The Judges are still left dependent on the legislature; they are "to hold their offices *for one year*, and until their places shall be declared vacant by a resolution to that effect which shall be voted for by a majority of all the members elected to the house, in which it may originate, and be concurred in by the same vote of the other house, without revision by the Governor."

The Governor it seems has no voice in this matter of removal; now he has a voice in the election, and would have in any attempted removal, a qualified one it is true, but which might be exercised, in some cases, by a good Governor, to save a good Judge. In this respect, therefore, there is less security for the Judges than under our present system. But there is one provision that no doubt was intended to present an appearance of stability. It is as follows:

"Such resolution shall not be entertained at any other than the annual session for the election of public officers."

What a check is this! it is tantamount to saying that the Judges shall not be removed but once a year! All the difference in favor of the Judges between this and our present system is, that now they are elected by the General Assembly in the same manner as is provided



in the free suffrage Constitution. Under our present system, they are elected annually, under the proposed system they are removable annually by joint resolution of the two houses, to be voted for by a majority of all the members elected. How much this is worth depends upon the annual elections, and upon the personal independence of the Judges. We know the prevailing party generally succeeds by a majority in both houses, and if the Judges render themselves obnoxious to the ruling party by daring to stop their progress, by deciding their laws to be unconstitutional, these provisions would be found mere cobwebs.

But when we consider the effect of universal suffrage upon the legislature, and that our Judges are to be annually at their mercy, we may indeed, ask, what "is to counteract the dangerous tendency of such combined forces?"

If we are to have universal suffrage, a more permanent Judiciary will be necessary to control the Legislature, and to protect life, liberty and property.

Under our present system of freehold qualification, our Judges of the Supreme Court, though annually elected, have held their places for many years, amidst the change of parties, the spirit of the people being, in this respect, better than our laws. And this better spirit might have been embodied in the free suffrage Constitution, were it not that leading politicians, of all parties, think it better for themselves, that as much power as possible should centre in their own hands.

It must, therefore, be seen at a glance, that the changes which universal suffrage would produce in the body politic, require more checks and balances, and a stronger government than may be necessary under the freehold qualification.

We have therefore the more reason to complain, that universal suffrage is not only sought to be imposed upon us, by the grossest usurpation, but a Constitution also, which has been the work of this party only. Their Convention was so called and constituted, that no person, other than those of their party, could conscientiously be a member of it. Thus a great majority of those who have the deepest interest in the State could not be represented, or have any voice in the formation of this Constitution. Such an insult to a free people is only to be equalled by the patience with which it has been borne!

Those who rob our Banks, may make their fortunes if they plunder largely; it is only the petty rogue who is in danger of the State's prison!

Have these politicians, speculated upon this trait in human nature?



The provision in the suffrage constitution extending the right of suffrage is as follows :

“ Every white male citizen of the United States of the age of twenty-one years, who has resided in this State for one year, and in any town, city or district of the same for six months, next preceding the election at which he offers to vote shall be an elector of all officers, who are elected, or may hereafter be made eligible by the people. ”

This, you will perceive, is universal suffrage, so far as white men are concerned. This is a very rapid stride for any set of men to take, and more especially for those who were not authorized to hold a Convention, or a majority of the people, in any sense, and without any authority from the legislature. Such a precedent is truly dangerous, and a vital attack on the body politic. Of their own mere authority, they authorize men to vote, upon the adoption of this Constitution, who are not members of the body politic of this State.

This is a usurpation of the power of the State to admit members to the body politic. It is a usurpation of the authority which, by our Constitution, resides in the General Assembly, to regulate the admission of freemen, or citizens, to the exercise of political power.

Can such a usurpation legalize itself, by the votes of those thus illegally admitted ? If so, two wrongs may make a right, or rather as many wrongs as there were persons, of this description, necessary to make a majority.

A thousand men having no right to vote, cannot give to each other, by votes, what they had not themselves. A thousand cyphers can never make a unit.

But why confine the right of suffrage to citizens of the United States ? Have the citizens of the United States, as such, a right to exercise political power in this State, without the consent of the body politic, first had and obtained ? This is alarming doctrine to the States. It strips them of all power to regulate the right of suffrage for themselves ; and, in reference to a power so fundamental in its nature, so essential to State sovereignty, subjects them to the control of the federal government. This is, indeed, consolidation ! Where then, are State rights ? Was it ever supposed that such a consequence would follow, from giving to Congress the power of naturalization ? This is certainly a new discovery, to which, Rhode-Island, alone, is entitled to the honor. The authors of the Federalist, never dreamed that, by giving to Congress the power of naturalization, Congress had the power to give to all foreigners, the right of suffrage, in the States where they resided. But, if all foreigners, residing in Rhode-Island, become entitled, without the consent of the State, to the right of suffrage, by the simple act of naturalization, under an act of Congress, and so entitled to this right, that they have a right to take it, by their own authority, if they cannot obtain it without, then, indeed, are the States stripped of that power which is so necessary to self-preservation. If these foreigners have no right derived from the naturalization laws of Congress, to become members of the body politic of this State, with the right of suffrage, without the consent of the State, by what right have such persons exercised this right, and been allowed to vote for the

Free Suffrage Constitution? The same principle applies to persons born in other States, and coming here to reside. They come here, subject to our laws and owing allegiance to our government. If they did not like our laws, in relation to freehold qualification, why did they come here? What right have they to complain of our laws, to which they voluntarily submitted, and to which they voluntarily became subject, by the act of coming and residing among us? They make, indeed, but a poor return for the protection which has been afforded them, by seizing upon the political power, in violation of the fundamental laws of the State!

But we have all sorts of heresies let loose upon us at once; enough, indeed, to fill most minds with confusion, and to lead many honest men astray.

Is it not, then, the duty of government, at such a crisis, to make the path of duty plain to the citizen, that he may read his duties in your statutes, instead of learning them in that school of disorganization which is such an enemy to all orderly government?

Governments are practical things; the lives, liberties and property of peaceable citizens are not to be put in jeopardy to enable men to acquire political power, by making votes by the wholesale, and to accomplish this, to change, by their own usurped authority, the fundamental laws of the State. Neither are your lives, liberties and property to be put in jeopardy, to enable visionary men to run their theories into practical absurdities, and to form what they may think a more perfect system of government.

Such "precedents are indeed dangerous things." If there are some things about which we may doubt at the beginning, they show, in their progress, their true character.

So has it been with this free suffrage movement. The roasting an ox, the marching in procession with all sorts of banners flying, and listening to speeches from the orators of the human race, may have been considered as very harmless things, as a show, a comedy or a farce, for the amusement of the people. It has been suffered to go on, and its true character begins to appear. The fifth act of the drama is to come. Their government is to be set up, and the government of the State is to be put down. But, as yet, the leaders in this movement disclaim all idea of force. They only require that you should suffer them to put you down *peaceably*, and then they will act as peaceable citizens;—otherwise you are to be charged with all their guilt, if you compel them to put you down by *force*.

We see, therefore, how dangerous it is to suffer factions to rise up in a State, and to gather strength, which have for their object what they call reformation, "peaceably if they can, forcibly if they must."

We have had frequent occasion to use the term *faction*. Mr. Madison has given us a definition of it. He says:

"By a faction, I understand a number of citizens, whether amounting to a *majority or minority of the whole*, who are united and actuated by some *common impulse of passion* or of *interest*, adverse to the rights of other citizens, or to the **PERMANENT AND AGGREGATE INTERESTS** of the community."



How descriptive is this of the character of the men who, "united and actuated by a common impulse," have thrown our State into such confusion!

All attempts at reformation should begin by enlightening public sentiment, and if the public mind is sufficiently informed, and ready for the reform, it should be and may be accomplished through the medium of the government. In this way, all the Constitutions of the States have been formed or amended under authority derived from the Legislative power. This universal practice, shows the universal sentiment, and ought to be considered now as one of the canons of constitutional law.

We see, by the progress of the free suffrage movement, how dangerous to government is any other course, and experience has shown us not only what the law must be, but the true reason of it.

The enlightened State of Virginia has had on her Statute Book, for nearly sixty years, a law, which shows, in the strongest light, how her statesmen have viewed such a mode of reform as our suffrage men have attempted, and which shows also the wisdom of these statesmen in preventing the beginning of such commotions.

In the words of Washington :

"Commutations of this sort, like snow balls, gather *strength as they roll*, if there is no opposition in the way to divide and crumble them."

The Virginia law is as follows :

"Section 2. Also every person or persons who shall erect, or establish, or cause, or procure to be erected or established, any government separate from, or independent of the Government of Virginia, within the limits thereof, *unless by act of the Legislature of this Commonwealth, first obtained*; or who shall in any *such usurped government*, hold or execute any office, legislative, executive, judiciary or ministerial, by whatever name such office may be distinguished or called; or who shall swear, or otherwise solemnly profess allegiance or fidelity to the same, or who shall, under pretext of authority derived from, or protection afforded by *such usurped government*, resist or oppose the due execution of the laws of this Commonwealth, shall be adjudged *guilty of high treason*, and shall be proceeded against and punished in the same manner as other traitors may be proceeded against and punished."

"Sec. 3. Every person who shall attempt to establish such government, by any other means than *with the assent of the Legislature of this Commonwealth*, and, in pursuance of such attempts, shall join with any other person or persons, in any overt act for promoting such attempts; or who shall by writing or advised speaking, endeavor to instigate the people of this Commonwealth, to erect or establish such government, without such assent as aforesaid, shall be adjudged guilty of a high crime and misdemeanor; and, on conviction, shall be subject to such pains and penalties, not extending to life or member, as the Court, before whom the conviction shall be had, shall adjudge."

But why talk we of law? These gentlemen boldly proclaim their right to proceed, as they have done, "without law and against law," by the right of revolution!

Contained in the Virginia Digest of 1819 vol. 1. page 590  
 act of 1785 ch 2 § 3



In an address of the Executive Committee, of the Rhode-Island Suffrage Association, to the People of Rhode-Island, and published in their official, the "New Age," on the 24th of December last, they hold the following language :

"Instead of longer praying in vain, for what is your own, you have come to the DETERMINATION TO USE YOUR OWN PREROGATIVE AND TO TAKE IT."

In the same paper is an article, headed "THE LAST APPEAL," which holds the following decided language :

"You will be inquired of 'By what authority do you frame and adopt a Constitution, and go about to establish a government?' By this your reply—'By the authority of the people themselves, and by which alone, either passively or formally granted, governments exist. The same authority by which our fathers, not only *without sanction of law*, but AGAINST LAW, erected these once colonies, into "*free sovereign and independent States*." This is our authority.'"

If you are prepared to submit to such authority, then must you suffer your government to be denounced as USURPATION ; then must you acknowledge that yourselves and your constituents deserve to be branded with infamy as TYRANTS.

If any apology were needed for this address—it is sufficient that we are all embarked in one common bottom, and must sink or swim together.

We must settle this question for ourselves ; it belongs not to Congress, nor to the Supreme Court of the United States. It is a question of State government, which, neither Congress nor the Supreme Court of the United States, have any constitutional authority to settle for us.

If you suffer your government to be put down, and the government of the suffrage men to become the Government of the State—Congress and the Supreme Court of the United States, will not inquire into the question of right. The only question will be the question of fact. Is it a government, *in fact*? Neither Congress, nor the Supreme Court has any authority to inquire further.

If, indeed, there are two Governments set up in the State, the question may arise, incidentally, in Congress, and in the Supreme Court of the United States, which is the lawful Government? But, in the mean time, what is to be the condition of our State?

FRIENDS AND FELLOW-CITIZENS!—Upon your prudence and discretion, and especially upon your *firmness*, depend our peace, and our character. Peace may be restored, but our character, once gone, it will not be for this generation to restore it.

Our motto is "HOPE." In God may we trust, and many unite in the prayer : GOD SAVE THE STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS !

*Not Written by Hon R K Randolph*

State of Rhode-Island and Providence  
Plantations.

IN GENERAL ASSEMBLY, MARCH SESSION, 1842.

---

**R E P O R T**

OF THE

**C O M M I T T E E**

ON THE

ACTION OF THE GENERAL ASSEMBLY, ON THE  
SUBJECT OF THE CONSTITUTION.



# REPORT

## *Of the Committee on the action of the General Assembly on the subject of the Constitution.*

The Committee to whom were referred the joint resolution, requiring them to report to this Assembly a statement of all the important facts, connected with the formation and rejection of the Constitution lately submitted to the people of this State for approval or rejection, and also to report their opinion, whether any legislation on said subject is now necessary, and if any, what ; beg leave to report.

That those who have set themselves in opposition to the government of this State have pretended that it was an aristocracy, and not republican in its form. On the contrary, your committee have no hesitation in asserting that this State from its settlement, has possessed a democratic form of government.

The first Charter obtained under the authority of the parliament of England in 1643-4, and the last Charter obtained in 1663, from Charles the II, secured to the people of this State the right of self government. Under that form of government which has descended to us from the patriarchs of the colony, the people have enjoyed a degree of civil and religious freedom which has never been exceeded, and seldom equalled in any other State.

This form of government has been found sufficient in peace and in war, in times when our people acknowledged allegiance to the crown of England, and since the declaration of independence. Under this form of government the people of this State became parties to the declaration of independence, to the union of the States under the confederation, and to the Constitution of the United States, under which we have enjoyed so much prosperity and happiness.

The Charter of 1663 having fixed the representation of the towns, without any reference to their subsequent population, the altered circumstances of the State has produced an inequality of representation from the towns in the House of Representatives which has created some dissatisfaction in that portion of the State which has most increased in population. Within the last eighteen years three attempts have been made to form a Constitution of government for this State, under the sanction of acts of this General Assembly.



These attempts have failed in two instances by the vote of the people, in 1824, and in 1842, and by the failure of the Convention in 1834 to form a Constitution.

This General Assembly has thus manifested a disposition to afford every facility to the people of this State, which was necessary to enable them to repeal or reform, or remodel at their pleasure their fundamental laws. The unequal representation of the towns has not therefore influenced this General Assembly so as to prevent the action of the freemen at large on this subject. And as a further instance of the liberality of this General Assembly, in the last attempt that was made to form a Constitution, the basis of representation in the Convention was altered by an act of the Assembly, so as to render the people more equally represented in that body which was to form the Constitution.

In the attempts to form a Constitution in 1824, and 1834, but very few were desirous of changing the freehold qualification for the right of suffrage. In the Convention of 1824, Mr. Pearce made a motion to extend the right of suffrage, to persons who did not possess a freehold, which was almost unanimously rejected, three only voting in its favor. In 1834 a similar motion was made by Mr. Dorr, and but seven voted in its favor.

At the January session of the General Assembly, 1841, a memorial from the town of Smithfield, was referred to a select committee of the House of Representatives, of which the Hon. Asher Robbins was chairman, who in behalf of said committee, reported as follows:

"The select committee to whom was referred the memorial of the town of Smithfield, praying this General Assembly to take the subject of the extreme inequality of the present representation from the several towns under consideration, and in such manner as seems most practicable and just to correct the evil complained of," have had the same under consideration, and the committee believing that the regular and rightful way of obtaining the object prayed for is by a convention of the freemen of the State, acting in their sovereign capacity on the subject, report the following resolution for adoption.

*Resolved*, by the General Assembly, (the Senate concurring with the House of Representatives therein) that it be recommended to the freemen of the State at the several town meetings in April, to instruct their Representatives as to their wishes for a State Convention to frame a new Constitution for this State, in whole or in part, with full power for that purpose.

After some remarks from several members on motion of Mr. Robbins, on the fifth of February, 1841, this resolution was recommended to report in the morning, and the report was made the order of the day for the morrow. On the next day the memorial of the

town of Smithfield was taken up, and the resolution as amended by the committee, and after considerable debate on the question, whether the freemen should be called upon first to instruct their Representatives on the subject of calling a convention, or whether the General Assembly should pass a bill as heretofore immediately for calling a Convention—the latter course was adopted. Resolutions were then passed by this General Assembly requesting the freemen to choose in August, delegates to attend a Convention to be holden at Providence, on the first Monday of November, A. D. 1841 to frame a new Constitution for this State, either in whole or in part, with full power for this purpose, and if only for a Constitution in part, that said Convention have under their especial consideration the expediency of equalizing the representation of the towns in the House of Representatives.

At this January session, printed petitions were presented, signed by about six hundred persons in all, as follows:

*To the Hon. the General Assembly of the State of Rhode-Island.*

The undersigned, inhabitants and citizens of the State of Rhode-Island, would respectfully represent to your Honorable Body, that they conceive that the dignity of the State would be advanced, and the liberties of the citizen better secured, by the abrogation of the Charter granted unto this State by King Charles the Second of England, and by the establishment of a Constitution which should more effectually define the authority of the Executive and Legislative branches and more strongly recognize the rights of the citizens. Your petitioners would not take the liberty of suggesting to your Honorable Body, any course which should be pursued, but would leave the whole affair in your hands, trusting to the good sense and discretion of the General Assembly.

Your petitioners would further represent to the General Assembly that they conceive that an extension of suffrage, to a greater portion of the white male residents of the State, would be more in accordance with the spirit of our institutions, than the present system of the State, and for such an extension they ask.

Your petitioners would not suggest any system of suffrage, but would leave the matter to the wisdom of the General Assembly.

Upon both the prayers of your petitioners, they would ask the immediate and efficient action of the General Assembly, and as in duty bound will ever pray.

Signed by ELISHA DILLINGHAM, and about 580 others.

The prayer of these petitions was answered by the action of the Assembly on the Smithfield memorial. Any extension of the right



of Suffrage was most proper for the people acting by their delegates in Convention. Such a convention the General Assembly had every reason to believe would be formed under the resolutions which they had adopted.

At the last May session of this General Assembly, Mr. Mowry, of Smithfield submitted a resolution, that the resolution for a convention, to form a Constitution for the State be amended so as to elect the members in proportion to the number of delegates the towns would severally be entitled to, according to the last census, not exceeding six, to one town.

Mr. Atwell then said (if he has been reported correctly) that in connection with the resolution he would call for the petition of Elisha Dillingham and others for extending Suffrage, presented at the last session, as he thought when settling, as to how many delegates should be elected, we should enquire as to who should elect those delegates.

Mr. Ames advocated the passage of Mr. Mowry's resolution.

The resolution of Mr. Mowry, was adopted by the House by a vote of 48 to 20.

The next day, Mr. Atwell presented a bill which he had been requested to offer as meeting the views of a large portion of our citizens. It provided for a new apportionment of representation and an extension of Suffrage in choosing delegates for the Convention to frame a Constitution.

Mr. Atwell (according to the published report) said he was not then prepared to say he could go the length of the friends of the bill proposed. He wished the bill read and referred to the Committee on the Judiciary to report in June, and the bill was so disposed of.

At the last June Session (according to the published account) Mr. Atwell made a minority report from the Committee on the Judiciary, to whom was referred the act sent to the House as aforesaid. The substance of the report was, that every white male citizen of the United States over 21 years of age, who has resided in this State two years, and in the town or city where he is to vote, for six months next preceeding the town meeting, and who has paid a tax on real estate or personal property, for one year previous to the time of voting, shall be allowed to vote for the choice of delegates to the Convention appointed by the General Assembly, to meet in November next for the purpose of forming a Constitution, except persons insane, under guardianship and convicts.

There was much debate in the House growing out of this report, some denying the power of the House to pass such an act. Others admitting the power of the House, but denying its propriety. The report was defended as to the power of the Assembly, and the propriety of such an act. On the question fifty-two voted against the act proposed by Mr. Atwell, and ten in its favor.



Mr. Spencer, who voted against the act, said that the proper course for those who wished for an extension of Suffrage, is to go to the Convention appointed for the purpose of considering that subject with others, and if they found no redress there, then the proper course would be to come here.

This course so plain and proper, was not adopted ; on the contrary, measures were taken to extend Suffrage by the act of those who by law were not entitled to Suffrage, by a movement revolutionary in its character, and without any such necessity or oppression as must exist to justify revolution.

The refusal of the General Assembly to extend the right of electing delegates to the Convention, to persons who were not qualified electors, by the fundamental laws of the State, has been alledged as a justification for the Convention which formed what they have been pleased to term the People's Constitution.

Measures however, were taken before the June session, by the friends of the suffrage movement to organize a Convention by their own authority.

In May last, at a large meeting in Newport under the auspices of the Suffrage association, measures were taken for calling a convention of the people without any regard to the fundamental laws of this State, which for nearly two hundred years, have required the possession of a freehold, to entitle a person to be admitted to the exercise of political power, and to be a member of the body politic and corporate. A portion of the people, responded to the call of this unauthorized body, and met in the several towns to choose delegates to a Convention to form a Constitution for this State, to be holden at Providence, October 9th 1841.

This was in anticipation of the lawful Convention which was to meet on the first Monday of November last.

The unauthorized Convention assembled in Providence, at the time appointed. They were the delegates of a minority of the people in whatever sense the word people may be understood. A small portion of the freeholders joined in this irregular election, and although all persons were admitted to vote who chose, not more than about seven thousand two hundred votes, gave any appearance of sanction to this Convention. The number of white male citizens of the United States, resident in this State over 21 years of age exceed 22,000.

Such was the authority upon which this Convention assembled and proceeded to act. It has been generally supposed that this convention proceeded simply without law and not against law; but as they assumed the authority which under the laws of this State was to be exercised by another convention, chosen by the freemen for that purpose, they acted in opposition to the law under which the lawful convention was called, in violation of the right which be-

longed to the legally qualified electors, to make a Constitution for this State, and their doings were not only *without law* but *against law*.

This unlawful convention, elected by a minority of the people, proceeded to the solemn work of forming a Constitution to be proposed to the people of this State, and also exercised one of the most important powers of Sovereignty; of their own authority they decided what portion of the people should, and what portion should not vote upon the adoption or rejection of the Constitution. At meetings holden under their authority, their Constitution was submitted to those whom they pleased to recognize as the people. It was voted for, during three days, in open meetings, and three days by votes collected from all quarters, by any person or persons, and brought to the pretended Moderator, and with no opportunity for detection of frauds. Votes thus collected and counted by their own mode of computation, they have declared to have been given by a majority of the people, and by the same usurped authority, have proclaimed their Constitution to be the supreme law of this State.

The lawful Convention met at the time appointed, on the first Monday of November last. On the question of suffrage, they decided to admit persons to vote who did not possess a freehold qualification. They decided not to admit in future, the eldest sons of freeholders as qualified voters. On the question, what personal property qualification would be required, there were three propositions; one proposing five hundred, another three hundred, and another two hundred dollars. The vote being taken on the largest sum first, it was decided in favor of this. On further reflection, it was ascertained that rejecting the eldest sons and requiring a personal property qualification of the value of five hundred dollars, would not be an extension, but a diminution of the number entitled to vote. At this period of their deliberations, the convention adjourned, to meet again on the 14th of February, to ascertain the sentiments of their constituents on this fundamental question. Before this time however, the Suffrage Convention completed their work and declared their constitution the supreme law. At the session of this General Assembly in January last they communicated their constitution and their declaration to the General Assembly. At the commencement of the January session, Mr. Atwell, who had been a member of the suffrage convention, introduced an act reciting the fact of the adoption of the suffrage constitution by a majority of the people, and its having become the supreme law, and requiring this General Assembly to yield up its authority to the new government, which was to be formed under it.

This step being found too bold to meet with any countenance in this Assembly, he afterwards made a motion to inquire how man



of the legally qualified voters in the State, had voted for this Constitution. This motion did not prevail. The Legislature was not disposed to sanction, in any manner, the doings of this Convention, or the voting under their authority. The following resolutions were then passed by the General Assembly with much unanimity, but seven voting against them.

STATE OF RHODE-ISLAND, AND PROVIDENCE PLANTATIONS.

*In General Assembly, January Session. A. D. 1842.*

Whereas a portion of the people of this State, without the forms of law, have undertaken to form and establish a constitution of government for the people of this State, and have declared such Constitution to be the supreme law, and have communicated such Constitution unto this General Assembly; and whereas many of the good people of this State are in danger of being misled by these informal proceedings; therefore,

*It is hereby resolved by this General Assembly,* That all acts done by the persons aforesaid, for the purpose of imposing upon this State a Constitution, are an assumption of the powers of government, in violation of the rights of the existing government, and of the rights of the people at large.

*Resolved,* That the Convention called and organized, in pursuance of an act of this General Assembly, for the purpose of forming a Constitution to be submitted to the people of this State, is the only body which we can recognize as authorized to form such a Constitution; and to this Constitution the whole people have a right to look, and we are assured they will not look in vain, for such a form of government as will promote their peace, security and happiness.

*Resolved,* That this General Assembly will maintain its own proper authority, and protect and defend the legal and constitutional rights of the people.

True copy:—*Witness,*

HENRY BOWEN, *Sec'y.*

This General Assembly, though they considered this pretended Constitution as a nullity, yet were disposed to consider the number of persons who had voted for it, as expressive of an opinion in the community that the right of suffrage should be very liberally extended. A bill was introduced into the Legislature, providing for such an extension of suffrage as was afterwards adopted by the legal convention. It was however deemed improper by many that this should be done by the General Assembly, and especially as the freemen had already sent delegates to a Convention, to decide upon this matter. As a substitute for this bill, and with a view to conciliation, the following act was passed:—



**STATE OF RHODE-ISLAND AND PROVIDENCE PLANTATIONS.**

*In General Assembly, January Session, A. D. 1842.*

An Act in amendment of an Act entitled "An Act revising the Act entitled an Act regulating the manner of admitting Freemen, and directing the method of electing officers in this State."

Whereas the good people of this State, having elected delegates to a Convention to form a Constitution, which Constitution, if ratified by the people, will be the supreme law of the State, therefore,  
*Be it enacted by the General Assembly, as follows:—*

All persons now qualified to vote, and those who may be qualified to vote under the existing laws previous to the time of such their voting, and all persons who shall be qualified to vote under the provisions of such Constitution, shall be qualified to vote upon the question of the adoption of said Constitution.

True copy:—*Witness,*

HENRY BOWEN, *Sec'ry.*

The legally authorized Convention met at the time to which they had adjourned, (the 14th of February,) finished their work, and submitted their Constitution to the people to be voted upon on the 21st, 22d, and 23d of March, 1842. The provisions of this Constitution extended the right of suffrage to every white male native citizen of the United States, of the age of 21 years, who has resided in this State two years, and in the town or city where he offers to vote, six months next preceding his voting, excepting lunatics, paupers, &c. ; and to such naturalized citizens as possessed such freehold qualification as has been heretofore required for all citizens, on a residence of three years in this State after their naturalization, and six months in the town or city in which they offer to vote, next preceding the time of voting.

This extension was as liberal to all native born American citizens as that granted by the so called "People's Constitution," except that two years residence was required instead of one. It was a further extension than was contemplated by the bill already mentioned, introduced by Mr. Atwell, at the June Session.

In relation to those who were born in foreign countries, it was not deemed prudent that they should be admitted to the right of suffrage as freely as the native born citizen, and not until, by a longer residence, and a freehold qualification, there was such "evidence of permanent common interest with and attachment to the community" as would render it safe to extend to them, this most important right.

It was to have been expected that the native born citizens of the United States, resident among us, who have been so desirous of an extension of suffrage, would have accepted this Constitution in

the same spirit of conciliation and compromise with which it was offered them. Many have done so; and many more would have done so, if pains had not been taken by their interested leaders, to pledge them to vote against this Constitution before it was ever formed. And many have said that they would not vote for it if it had been word for word like their own.

Such a spirit is beyond the reach of conciliation or compromise. Nothing can satisfy such men but a triumph over the law, and a prostration of the government to their unhallowed purposes.

By a small majority (676) the Constitution has been rejected. We have no doubt many voted against it from their attachment to the freehold qualification. Some voted against it because the colored people were not placed on the same platform with white men ; others because they considered the representation in the Legislature unequal ; and we have reason to believe that many voted against it, being deceived by the grossest misrepresentations, and having been told they would lose, if this Constitution was adopted, certain rights and privileges to which they were well known to be much attached.

We have seen, on the part of a portion of the free suffrage men, a zeal, in opposition to this Constitution, which offered to them more than they originally asked, that cannot be accounted for, upon the principles of interest and prudence which govern men in ordinary times. With them, the contest has ceased to be for principle ; it has become a contest for power ; not for power under ordinary circumstances, for the honors or emoluments of office, under the same laws and the same government, but a contest for power, in violation of every righteous principle, to the destruction of all law, and all legitimate government.

We cannot for a moment doubt on which side all good citizens will array themselves when such a contest is brought to that issue, which is threatened by those resolutions these deluded men have already passed, 'That they will support their Constitution "by all necessary means" and repel force by force.' '

The duty of the government is most plain. We are required to protect the citizen by legislation when the laws are defective, to warn the deluded how they act, in violation of the laws, and to exert the means put into our hands to vindicate the rights of the government, and to guard the peace and happiness of the State.

With this view, your Committee recommend the passage of a bill herewith presented, which, in their opinion, is necessary to meet the exigency of the times. Your Committee also recommend the passage of the following resolutions :

*Resolved*, That his Excellency the Governor, be requested to issue his proclamation to the good people of this State, exhorting them to give no aid or countenance to those who, in violation of the



law, may attempt to set up a government in opposition to the existing government of this State, and calling upon them to support the constituted authorities for the preservation of the public peace, and in the execution of those laws on which the security of all depends.

*Resolved*, That his Excellency, the Governor, be, and he is hereby authorized to adopt such measures, as in his opinion may be necessary, in the recess of this Legislature, to execute the laws and preserve the State from domestic violence; and that he be, and is hereby authorized, to draw on the General Treasurer for such sums as may be required for these purposes.

*Resolved*, That the report and the act accompanying, entitled "an act in relation to offences against the sovereign power of the State," be published in all the newspapers in this State; that ten thousand copies be printed in pamphlet form, and that the Secretary of State cause the same to be forthwith distributed in the several towns of this State and the city of Providence; and that five copies of the same be sent to the Governors of each State, and a copy each to the President, Vice President, members of the Cabinet, Senators, and members of the House of Representatives of the United States.



*Drawn by Whipple & Ames. When it  
passed, a few verbal alterations were made*

13

## AN ACT in relation to offences against the Sovereign power of the State.

Whereas, in a free government it is especially necessary that the duties of the citizen to the constituted authorities should be plainly defined, so that none may confound our regulated American liberty with unbridled license; and whereas, certain designing persons, have for some time past, been busy with false pretences, amongst the good people of this State, and have framed and are now endeavoring to carry through, a plan for the subversion of our government under assumed forms of law, but in plain violation of the first principles of constitutional right, and many have been deceived thereby: And whereas this General Assembly, at the same time that it is desirous to awaken the honest and well meaning to a sense of their duty, is resolved by all necessary means, to guard the safety and honor of the State, and overlooking what is past, to punish such evil doers in future, in a manner due to their offences:

*Be it it enacted by the General Assembly as follows:*

Section 1. All town, ward or other meetings of the freemen, inhabitants, or residents of this State, or of any portion of the same, for the election of any town, city, ward, county or state officer or officers, called or held, in any town of this State, or in the city of Providence, except in the manner, for the purposes, at the times, and by the freemen, by law prescribed, are illegal and void; and any person or persons who shall act as moderator or moderators, warden or wardens, clerk or clerks, in such pretended town, ward or other meetings hereafter to be held, or in any name or manner receive, record or certify votes for the election of any pretended town, city, ward, county or state officers, shall be deemed guilty of a misdemeanor and be punished by indictment with a fine not exceeding one thousand, nor less than five hundred dollars, and be imprisoned for the term of six months; *provided however,*

that this act is not intended to apply to cases, in which by accident or mistake some prescribed form or forms of calling town or ward meetings of the freemen of the several towns of this State, and of the city of Providence shall be omitted or overlooked.

Sec. 2. Any person or persons who shall in any manner signify that he or they will accept any executive, legislative, judicial or ministerial office or offices by virtue of any such pretended elections in any such pretended town, ward or other meeting or meetings, or shall knowingly suffer or permit his or their name or names, to be used as a candidate or candidates therefor, shall be adjudged guilty of a high crime and misdemeanor, and be punished by indictment in a fine of two thousand dollars, and be imprisoned for the term of one year.

Sec. 3. If any person or persons, except such as are duly elected thereto according to the laws of this State, shall, under any pretended Constitution of government for this State or otherwise, assume to exercise any of the Legislative, Executive, or Ministerial functions of the offices of Governor, Lieutenant Governor, Senators, Members of the House of Representatives, Secretary of State, Attorney General, or General Treasurer of this State, or within the territorial limits of the same, as the same are now actually held and enjoyed, either separately or collectively, or shall assemble for the purpose of exercising any of said functions, all and every such exercise of, or meeting for the purpose of exercising all, any, or either of said functions, shall be deemed and taken to be an usurpation of the sovereign power of this State, and is hereby declared to be treason against the State, and shall be punished by imprisonment during life, as is now by law prescribed.

Sec. 4. All offences under this act shall be triable before the Supreme Judicial Court only. Any person or persons arrested under the same, and also for treason against the State, may be imprisoned or held in custody for trial in the jail of such county of the State as the Judge or Justice issuing the warrant may order or direct, and the sheriff or other officer charged with the service of such warrant,



shall, without regard to his precinct, have full power and authority to take such person or persons, and him or them to commit to any county jail in this State which may be designated by such Judge or Justice, and it shall be the duty of all sheriffs, deputy sheriffs, town sergeants, constables and jailors to govern themselves accordingly. All indictments under this act, and also all indictments for treason against this State, may be preferred and found in any county of this State without regard to the county in which the offence was committed; and the Supreme Judicial Court shall have full power for good cause, from time to time, to remove for trial any indictment which may be found under this act, or for treason against the State, to such county of the State, as they shall deem best for the purpose of ensuring a fair trial of the same; and shall upon the conviction of any such offender or offenders, have full power to order, and from time to time to alter, the place of imprisonment of such offender or offenders to such county jail within this State, or to the State's prison, as to them shall seem best for the safe custody of such offender or offenders, any act, law or usage to the contrary notwithstanding.

*Secretary's Office, April 4, 1842.*

The foregoing is a true copy of the Report of Committee, with the Resolutions and Act passed by the General Assembly thereon.

Witness,

HENRY BOWEN, Sec'ry.



## STATEMENT

Submitted by Messrs. Whipple, Francis and Potter, to the President  
of the United States.

---

---

## DOCUMENTS

RELATING TO

**The affairs of Rhode Island.**

---

---

## STATEMENT

*Submitted by Messrs. Whipple, Francis, and Potter, to the President of the United States.*

The undersigned, having been deputed by Samuel W. King, the Governor of the State of Rhode Island, to lay before you the present alarming condition in which the people of the State are placed, and to request from you the adoption of such prudential measures as, in your opinion, may tend to prevent domestic violence, beg leave, most respectfully, to state the following, among the leading facts, to which your attention is more particularly invited :

That the people of Rhode Island have no fundamental law except the charter of King Charles the Second, granted in 1663, and the usage of the Legislature under it. Legislative usage under their charters has been decided by the Supreme Court of the United States to be the fundamental law, both in Connecticut and Rhode Island.

That, from the date of the Rhode Island charter down to the year 1841, a period of nearly two hundred years, no person has been allowed to vote for town or State officers unless possessed of competent estates, and admitted free in the several towns in which they resided.

That, since the statute of 1723, no person could be admitted a freeman of any town unless he owned a freehold estate of the value fixed by law, (now one hundred and thirty-four dollars,) or was the eldest son of such a freeholder.

That, until the past year, no attempt has been made, to our knowledge, to establish any other fundamental law, by force, than the one under which the people have lived for so long a period.

That, at the January session of the Legislature in 1841, a petition, signed by five or six hundred male inhabitants, praying for such an extension of suffrage as the Legislature might, in their wisdom, deem expedient to propose, was presented.

That, influenced by that petition, as well as by other considerations, the Legislature, at that session, requested the qualified voters, or freemen, as they are called with us, to choose delegates at their regular town meetings to be holden in August, 1841, for a convention, to be holden in November, 1841, to frame a written constitution.

That the result of the last meeting of this legal convention, in February, 1842, was the constitution accompanying this statement, marked —, which, in case its adoption by the people, would have been the supreme law of the State.

Most of the above facts are contained in the printed report of a numerous committee of the Legislature, at their session in March, 1842, which report was adopted by the Legislature.

That, in May, 1841, after said legal convention had been provided for by the Legislature, and before the time appointed for the choice of delegates by the qualified voters, (August, 1841,) a mass meeting was held by the friends of an extension of suffrage at Newport, at which meeting a committee was appointed, called the State Committee, who were authorized by said mass meeting to take measures for calling a convention to frame a constitution.

That this committee, thus authorized, issued a request for a meeting of the male citizens in the several towns to appoint delegates to the proposed convention.

That meetings, of unqualified voters principally, (as we believe,) were accord-



gly holden in the several towns, unauthorized by law, and contrary to the invariable custom and usage of the State from 1663 down to that period. That the aggregate votes appointing the delegates to that convention was, according to their own estimate, about 7,200; whereas the whole number of male citizens, over twenty-nine years of age, after making a deduction for foreigners, paupers, &c., was, also according to their own estimate, over 22,000.

That this convention, thus constituted, convened in Providence, in October, 1841, and the constitution called the "people's constitution" was the result of their deliberations.

That, at subsequent meetings of portions of the people, in December, 1841, by the authority of this convention alone, (elected, as its delegates had been, by about one-third of the voters, according to their standard of qualification,) all males over twenty-one years of age were admitted to vote for the adoption of the people's constitution. That these meetings were not under presiding officers whose legal duty or legal right it was to interpose any check or restraint as to age, residence, property, or color.

By the fourteenth article of their constitution it was provided, that "This constitution shall be submitted to the people, for their adoption or rejection, on Monday, the 27th of December next, and on the two succeeding days." \* \* "And every person entitled to vote as aforesaid, who, from sickness or other causes, may be unable to attend and vote in the town or ward meetings assembled for voting upon said constitution, on the days aforesaid, is requested to write his name on a ticket, and to obtain the signature upon the back of the same of a person who has given in his vote as a witness thereto. And the moderator or clerk of any town or ward meeting, convened for the purpose aforesaid, shall receive such vote on either of the three days next succeeding the three days before named for voting on said constitution."

During the first three days, about nine thousand votes were received from the hands of the voters in the open town meetings. By the privilege granted to every one and all the friends of the constitution, of bringing into their meetings the names of others during the three following days, five thousand votes more were obtained, making an aggregate of about fourteen thousand votes.

This constitution, thus originating and thus formed, was subsequently declared by this convention to be the supreme law of the land. By its provisions, a Government is to be organized under it, by the choice of a Governor, Lieut. Governor, Senators and Representatives, on the Monday preceding the third Wednesday in April, 1842.

By the provisions of the "landholders' constitution," as the legal constitution is called, every white male native citizen, possessing the freehold qualification, and over twenty-one years of age, may vote, upon a residence of *one* year; and without any freehold, may vote, upon a residence of two years, except in the case of votes for town taxes, in which case the voter must possess the freehold qualification, or be taxed for other property of the value of \$150.

By the "people's constitution," "every white male citizen of the United States of the age of twenty-one years, who has resided in this State for *one* year, and in the town where he votes for six months," shall be permitted to vote, with the same exception as to voting for town taxes as is contained in the other constitution.

The provision, therefore, in relation to the great subject in dispute, the elective franchise, is substantially the same in the two constitutions.

On the 21st, 22d, and 23d March last, the legal constitution, by an act of the legislature, was submitted to all the persons who, by its provisions, would be entitled to vote under it, after its adoption, for their ratification. It was rejected by a majority of 676, the number of votes polled being over 16,000. It is believed that many freeholders voted against it, because they were attached to the old form of government, and were against any new constitution whatever. Both parties used uncommon exertions to bring all their voters to the polls; and the result of the



vote was, under the scrutiny of opposing interests, in legal town meetings, that the friends of the people's constitution brought to the polls probably not over 7,000 to 7,500 votes. The whole vote against the legal constitution was about 8,600. If we allow 1,000 as the number of freeholders who voted against the legal constitution, because they are opposed to any constitution, it would leave the number of the friends of the people's constitution 7,600, or one-third of the voters of the State under the new qualification proposed by either constitution.

It seems incredible that there can be 14,000 friends of the people's constitution in the State, animated as they are by a most extraordinary and enthusiastic feeling, and yet, upon this trial, in the usual open and fair way of voting, they should have obtained but about 7,600 votes.

The unanimity of the subsequent action of the Legislature, comprehending as it did both the great political parties—the House of Representatives giving a vote of sixty in favor of maintaining the existing Government of the State, and only six on the other side, with a unanimous vote in the Senate—the unanimous and decided opinion of the supreme court declaring this extraordinary movement to be illegal in all its stages, a majority of that court being of the democratic party, with other facts of a similar character, have freed this question of a mere party character, and enabled us to present it as a great constitutional question.

Without presuming to discuss the elementary fundamental principles of government, we deem it our duty to remind you of the fact that the existing Government of Rhode Island is *the* Government that adopted the Constitution of the United States, became a member of this Confederacy, and has ever since been represented in the Senate and House of Representatives. It is at this moment the existing Government of Rhode Island, both *de facto* and *de jure*, and is the only Government in that State entitled to the protection of the Constitution of the United States.

It is that Government which now calls upon the General Government for its interference; and even if the legal effect of there being an ascertained majority of unqualified voters against the existing Government was as is contended for by the opposing party, yet, upon their own principle, ought not that majority, in *point of fact*, to be clearly ascertained, not by assertion, but by proof, in order to justify the General Government in withdrawing its legal and moral influence to prevent domestic violence?

That a domestic war of the most ferocious character will speedily ensue, unless prevented by a prompt expression of opinion here, cannot be doubted. In relation to this we refer to the numerous resolutions passed at meetings of the friends of the people's constitution, and more especially to the Cumberland resolutions, herewith presented, and the affidavits marked —, and to repeated expressions of similar reliance upon the judgment of the Chief Magistrate of the nation.

All which is respectfully submitted by

JOHN WHIPPLE,  
JOHN BROWN FRANCIS,  
ELISHA R. POTTER.

To his Excellency JOHN TYLER,  
*President of the United States.*

---

*To his Excellency the Governor of Rhode Island :*

SIR : Your letter, dated the 4th instant, was handed me on Friday by Mr. Whipple, who, in company with Mr. Francis and Mr. Potter, called upon me on Saturday, and placed me, both verbally and by writing, in possession of the prominent facts which have led to the present unhappy condition of things in Rhode Island—a state of things which every lover of peace and good order must deplore. I shall not adventure the expression of an opinion upon those questions of domestic policy



which seem to have given rise to the unfortunate controversies between a portion of the citizens and the existing Government of the State. They are questions of municipal regulation, the adjustment of which belongs exclusively to the people of Rhode Island, and with which this Government can have nothing to do. For the regulation of my conduct, in any interposition which I may be called upon to make, between the Government of a State and any portion of its citizens who may assail it with domestic violence, or may be in actual insurrection against it, I can only look to the Constitution and laws of the United States, which plainly declare the obligations of the Executive Department, AND LEAVE IT NO ALTERNATIVE AS TO THE COURSE IT SHALL PURSUE.

By the fourth section of the fourth article of the Constitution of the United States it is provided that the United States shall guaranty to every State in this Union a republican form of government, and shall protect each of them against invasion; and on the application of the Legislature, or Executive, when the Legislature cannot be convened, *against domestic violence*. And by the act of Congress approved on the 28th of February, 1795, it is declared that, in case of an insurrection in any State *against the Government thereof*, it shall be lawful for the President of the United States, upon application of the Legislature of such State, or of the Executive, when the Legislature cannot be convened, to call forth such number of the militia of any other State or States as may be applied for, as he may judge sufficient to suppress such insurrection. By the third section of the same act it is provided that, whenever it may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a reasonable time.

By the act of March 3, 1807, it is provided "that in all cases of insurrection or obstruction to the laws, either of the United States or any individual State or Territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect."

This is the first occasion, so far as the Government of a State and its people are concerned, on which it has become necessary to consider of the propriety of exercising these high and most important constitutional and legal functions. By a careful consideration of the above-recited acts of Congress, your excellency will not fail to see that no power is vested in the Executive of the United States to anticipate insurrectionary movements against the Government of Rhode Island, so as to sanction the interposition of the military authority, but that there must be an actual insurrection, manifested by lawless assemblages of the people, or otherwise, to whom a proclamation may be addressed, and who may be required to betake themselves to their respective abodes. I have, however, to assure your excellency that, should the time arrive (and my fervent prayer is that it may never come) when an insurrection shall exist against the Government of Rhode Island, and a requisition shall be made upon the Executive of the United States to furnish that protection which is guarantied to each State by the Constitution and laws, I SHALL NOT BE FOUND TO SHRINK FROM THE PERFORMANCE OF A DUTY WHICH, WHILE IT WOULD BE THE MOST PAINFUL, IS AT THE SAME TIME THE MOST IMPERATIVE. I have also to say that, in such a contingency, the Executive could not look into real or supposed defects of the existing Government, in order to ascertain whether some other plan of government proposed for adoption was better suited to the wants, and more in accordance with the wishes of any portion of her citizens. To throw the Executive power of this Government into any such controversy would be to make the President the armed arbitrator between the people of the different States and their constituted authorities, and might lead to an usurped power, dangerous alike to the stability of the State Governments and the liberties of the people.



*It will be my duty, on the contrary, to respect the requisitions of that Government which has been recognised as the existing Government of the State through all time past, until I shall be advised, in regular manner, that it has been altered and abolished, and another substituted in its place, by legal and peaceable proceedings, adopted and pursued by the authorities and people of the State.*

Nor can I readily bring myself to believe that any such contingency will arise as shall render the interference of this Government at all necessary. The people of the State of Rhode Island have been too long distinguished for their love of order and of regular government to rush into revolution, in order to obtain a redress of grievances, real or supposed, which a Government under which their fathers lived in peace would not in due season redress. No portion of her people will be willing to drench her fair fields with the blood of their own brethren, in order to obtain a redress of grievances which their constituted authorities cannot, for any length of time, resist, if properly appealed to by the popular voice. None of them will be willing to set an example, in the bosom of this Union, of such frightful disorder, such needless convulsions of society, such danger to life, liberty, and property, and likely to bring so much discredit on the character of popular Governments. My reliance on the virtue, intelligence, and patriotism of her citizens, is great and abiding, and I will not doubt but that a spirit of conciliation will prevail over rash counsels; that all actual grievances will be promptly redressed by the existing Government; and that another bright example will be added to the many already prevailing among the North American republics of change without revolution, and a redress of grievances without force or violence.

I tender to your excellency assurances of my high respect and consideration.

JOHN TYLER.

WASHINGTON, April 11, 1842.

---

### LETTER FROM MR. WHIPPLE.

*To His Excellency SAMUEL W. KING,  
Governor of Rhode Island:*

We transmit to your excellency the letter of the President of the United States, in reply to yours of the 4th instant, in relation to our revolutionary movements in Rhode Island. You will observe, with pleasure, that the opinion of the President is firm, clear, and decided. It was expressed after a statement of facts, accompanied by a number of documents from both parties, and is in accordance with the unanimous opinion of the members of the cabinet, and we believe with that of every member of Congress to whom the case has been fairly stated.

At the same time we observe that great and unwearied pains have been taken by the insurrectionists to forestall public opinion, by loading the newspapers in the different cities with statements so unblushingly false, that we refer to your Excellency the expediency of adopting some mode of giving publicity to the truth. They represent, in most of the newspapers that have come under our observation, that the party in favor of the people's constitution *has a large majority* of the whole people in its favor, and that a very small portion of the people have pertinaciously adhered to the old freehold qualification, thus rendering a peaceable and legal change of Government wholly impracticable. This is their case, as they have caused it to be stated in most of the cities in the Union. They seek to justify revolution upon the facts that a majority of the 22,000 voters of the State are in favor of their constitution, and that there is no other mode of redress than by revolution.

Your excellency well knows that both these statements are wholly false. That party brought every man to the polls who was in favor of their constitution, in order to vote against the *legal* constitution, in March last. The whole number of



votes polled against it was 8,600, or thereabouts. It is well known that at least 1,000 freeholders voted against the legal constitution, not because they were in favor of the people's constitution, but because, being opposed to any extension of suffrage, they were against both constitutions. Deduct these 1,000 votes, and there remain but 7,600 in favor of the people's constitution, *or about one-third of the voters in the State.*

But their case would stand upon no better ground were their majority clear and undisputed. Nothing but *necessity* will justify revolution. This they admit, and therefore they attempt, in their different statements, in various parts of the Union, to impress upon the public mind another gross and malicious falsehood, which is, that the freeholders refuse an extension of the elective franchise; whereas every Rhode Island man knows that there is no substantial difference between the extent of that franchise under the legal constitution, proposed to the people by the *convention of freeholders*, and the extent of the same franchise provided for in the people's constitution. Both constitutions admitted every native born white male citizen of the United States, with no other qualification but residence, to the elective franchise. The legal constitution required a residence of two years, and the people's a residence of one year. The legal constitution admitted naturalized foreigners who owned a freehold estate of \$134 in value; the people's admitted them upon one year's residence.

We believe that the citizens of other States will learn, with surprise and abhorrence, that a party of men, generally, as we believe, orderly and well-disposed, has been organized in Rhode Island, and made to believe, by a few selfish and ambitious leaders, belonging some to one and some to the other of the two political parties, that they are really and truly the majority, and that they have a right by force to usurp the sovereignty of the State, in order to establish a principle conceded by the constituted authorities, and rejected by them, because the boon proceeded from a legal convention, instead of its being the work of their revolutionary hands.

Under the operation of such principles no Government can exist a single year. It is not merely revolution, but revolution after all the objects revolution can achieve have been attained. It is a principle not only subversive of a representative republican Government, but fatal to the continuance of a democracy in any and all its forms of real or fancied perfection.

If a revolution, based upon such principles, should succeed in Rhode Island, the same sure law of force will inevitably prostrate every State Government in the Union; for there is not a State in the Union in which the actual grievances of portions of the people are not quite as numerous and quite as great as those complained of in the State of Rhode Island.

JOHN WHIPPLE,  
*For the Committee.*

THE CLOSE  
OF THE  
LATE REBELLION,  
IN RHODE-ISLAND.

---

AN EXTRACT FROM A LETTER BY A MASSACHUSETTS MAN  
RESIDENT IN PROVIDENCE.

---

SECOND EDITION.

PROVIDENCE:  
B. CRANSTON & CO.  
1842.



THE GLOBE  
OF THE  
THE GLOBE  
A LATE REBELLION  
OF THE LATE REBELLION

For the information of persons at a distance, who may read this account, it is proper to state, that most of the original members of the suffrage party utterly disclaim all connection and sympathy with the violent and sanguinary schemes which are here detailed. All sensible men of that party know full well that they can easily obtain all they desire by peaceable and constitutional measures.

## THE CLOSE OF THE LATE REBELLION.

---

On Monday, May 16th, Thomas W. Dorr, calling himself the Governor of Rhode-Island, arrived in Providence, from New-York and Washington. He was met at the State line, by a gang of armed men and boys, who accompanied him in an extra train of cars on the Stonington rail-road, to the Depot in Providence, where he was received by a large collection of people, some armed, some unarmed. He was escorted into the city by a procession numbering about twelve hundred—three hundred of whom were under arms—preceded by a band of music. They paraded through the principal streets. Dorr, seated in an open carriage, with a sword at his side and the bayonets of his followers bristling in the rear, seemed to fancy himself not only governor, but monarch of all he surveyed. The citizens, for, be it known, that most of those who swelled the throng at his heels, could not claim the honor of belonging to Providence—the citizens, looked on, with set teeth and flashing eyes. I had read but an hour or two before, Dorr's "Proclamation," heralding his approach, in which he declared war not only against Rhode-Island but against the government of the U. States—saying that though the authorities of Rhode-Island and of the United States were against him, the



people were everywhere on his side, and that he was ready to make Rhode-Island the battle ground of American liberty. I had watched this whole struggle with intense anxiety. I thought I could see the interests of rational liberty throughout the United States, depending upon the issue. Two days' success of such principles as Dorr advocated, would have thrown the whole Union into convulsions. When therefore I saw this pageant insulting in the broad light of a pleasant day the forbearance of the State authorities, when I saw the long-suffering patience of the indignant citizens thus audaciously outraged, when I saw Dorr himself surveying with cool atrocity, streets through which he had determined to spread dismay and death—when I saw all this and no hand raised to prevent it, I confess that my faith in Rhode-Island courage and love of liberty nearly failed me. My blood boiled with indignation. The words of the great Roman orator on a similar occasion were ringing in my ears: “Quousque, &c.” “How long, O Cataline, wilt thou abuse our patience? To what end will thy reinless audacity lead thee?”—There were doubtless some honest, well meaning men, who took part in this affair, duped by the falsehoods of the leaders; but there were very many for whom no such apology could be pleaded.

After parading the streets a few hours and addressing his followers in a most inflammatory speech, Dorr took up his quarters at the house of one Burrington Anthony, formerly United States Marshal for Rhode-Island, and Dorr's High Sheriff for the county of Providence. The house is on Federal Hill, a short remove from the thickly settled part of the city. A large company of armed men were retained to guard the house. At one o'clock, P. M., on Tuesday, Dorr ordered the signal guns for collecting his friends to

be fired. They soon came flocking in from all quarters. In the afternoon, a company of them came down into the city and carried away without resistance, two brass six pounders, from the alarm-post of the United Train of Artillery. It was generally supposed in town, that the only object of this gathering was to prevent arrests. But towards night information reached Governor King, from sources that could be relied on, that an attack would be made on the arsenal that very night. The State officers now moved with an energy and resolution worthy of all praise. A strong additional guard was sent to the arsenal. Notices were immediately printed and circulated through the city, requesting all who were disposed to maintain law and order, to repair forthwith to the arsenal and receive arms. A steamboat was despatched as soon as she could be got ready, to bring companies from Warren, Bristol, and Newport, and messengers were sent off in advance of the boat to give the alarm. All this occurred after seven o'clock in the evening. I went over to the arsenal to receive my musket, and there every thing looked warlike. Five field pieces loaded with grape and canister looked out of the windows, from which at a single word they would have scattered death and destruction among any who should provoke that word. Rows of loaded muskets were standing along the walls, and the guard, strong, calm and resolute, were walking their round, or preparing for the contest. On returning from the arsenal through one of the most populous streets of the city, I found that many, walking like myself, with their muskets, were stopped by squads of armed men, who, aided by the darkness, came suddenly upon them and wrenched away their arms. I only avoided a fight for my own. by turning into another street and



taking a circuitous route. About one thousand stand of arms were, before 10 o'clock, distributed among the citizens. But a comparatively small number of these fell into the hands of the rebels.

The system of espionage established through the city, was one of the most fearful things in this whole affair.—A group of citizens could not assemble at the corner of a street, in a store, or a public building, and scarcely in a private house, but some spy would be standing silently in their midst, listening to all that was said, and taking down the name of any one who expressed an opinion in opposition to the conspirators. It is reported that a company of fifty armed men were sent to waylay Gov. King, with orders to take him and carry him immediately to Dorr's head quarters. He happened to pass a little earlier than was expected, and thus escaped the snare. No man then knew how widely the poison of this rebellion had spread through the city. But now it is fully known that the mass of the population is sound. Vagabonds, pickpockets, and villains of various stamps are still here—"where the carcass is the eagles will gather"—but these wretches are so closely watched by our vigilant authorities that they can do no harm.

The watchmen in the city, their numbers much increased by volunteers, were all armed, and many of them provided with horses. The signal was agreed upon, and all awaited the event in terrible suspense. At 2 o'clock in the morning, the alarm was sounded. The bells rung violently a few moments, then commenced the alarm toll—three strokes of a bell, answered by three of the next, and that by another, and so on around the city. The moon had set—a heavy fog rested on the river, and brooded over the town. The people began to gather. Ev-

every good man felt it his duty to show himself—wives retained not their husbands—Spartan mothers bade their sons go forth. Every one knew the crisis had come. A Cataline, talented, reckless, *mad*, was attempting to subvert the liberties of the State, and was threatening with the torch and the dagger all who dared to oppose him. Men who move not on ordinary occasions were out, to sustain the law and protect the people. Within fifteen minutes after the signal was given I noticed at one of the alarm-posts, *the venerable and highly respected father of the recreant leader of the insurgents*—Judge Pitman of the United States District Court, a man whose head is grey with honored years, but whose heart is young—John Whipple, Esq. one of the first lawyers in the state—and many others of similar standing. At another alarm-post, the brother of Dorr, the uncle and a brother-in-law appeared and joined the ranks. Others of his near relatives were on duty at the arsenal.

Men of all classes, of all parties, and of all ages, were out under arms to sustain the laws. The wealthiest men in the city stood shoulder to shoulder with the strong muscled laborer and the industrious mechanic. Old men, who could scarcely march, tried to join the ranks. One veteran I well remember, who entered the armory, straightening up to the height of his manhood's prime, the fire of youth still beaming beneath the white fringes of his wrinkled brows, "*Will you take a man who can fight, but can't run?*" said he. He was received by a spontaneous burst of applause—almost the only sound above a low, solemn tone, which I heard on that fearful night. I saw too a Polish exile, who had sacrificed everything but life itself, for liberty in his native country, and who was ready again to peril life to support the



liberties of the land of his adoption. But I must not continue this specification—the strength, the industry, the respectability of the city were on duty.

The cause of the alarm, was information brought by the watch that the conspirators had left their position and were moving towards the arsenal. At two o'clock in the morning, they commenced their march. Their numbers have been variously estimated—at from three to eight hundred. There were probably six hundred in all, and one half of them armed. They advanced 'near to the arsenal and demanded a surrender in the name of Colonel Wheeler, and in behalf of Governor Dorr. The arsenal was commanded by Col. Leonard Blodget, a fearless man and an excellent officer. His answer was, "I know no such man as Colonel Wheeler, or Governor Dorr." "Governor Dorr is present and with a sufficient force to batter down and take the arsenal if it is not surrendered—must I carry back the answer you have given?" "That or none." Dorr then ordered the cannon—two six pounders, to be brought within musket shot. They were heavily charged with ball and slugs. He gave the order to fire. It was followed by no report. He repeated the order with the same result. Suspecting his men of treachery, he became perfectly furious, brandished his sword, and with bitter imprecations seized a match and applied it himself. The powder flashed harmlessly upon the piece. He probably saw the truth, that his own followers would not sustain him in his desperate career; and filled with rage and chagrin, he withdrew immediately to his old quarters. It is now said that some of his own party, after having done all they could to dissuade him from his mad course, and shrinking from a participation in the